



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

सोमवार 20 फरवरी, 2017 / 1 फाल्गुन, 1938

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 17 फरवरी, 2017

संख्या: एल0एल0आर0-डी0(6)-28 / 2016-लेज.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 14-02-2017 को अनुमोदित हिमाचल

प्रदेश मूल्य परिवर्धित कर (द्वितीय संशोधन) विधेयक, 2016 (2016 का विधेयक संख्यांक 25) को वर्ष 2017 के अधिनियम संख्यांक 3 के रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके अंग्रेजी प्राधिकृत पाठ सहित हिमाचल प्रदेश ई-राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,
(डा० बलदेव सिंह),
प्रधान सचिव (विधि)।

2017 का अधिनियम संख्यांक 3

हिमाचल प्रदेश मूल्य परिवर्धित कर (द्वितीय संशोधन) अधिनियम, 2016

(राज्यपाल महोदय द्वारा तारीख 14 फरवरी, 2017 को यथाअनुमोदित)

हिमाचल प्रदेश मूल्य परिवर्धित कर अधिनियम, 2005 (2005 का अधिनियम संख्यांक 12) का और संशोधन करने के लिए अधिनियम।

भारत गणराज्य के सङ्गठनों वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. संक्षिप्त नाम।—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश मूल्य परिवर्धित कर (द्वितीय संशोधन) अधिनियम, 2016 है।

2. धारा 56 का संशोधन।—हिमाचल प्रदेश मूल्य परिवर्धित कर अधिनियम, 2005 की धारा 56 की उपधारा (3) में,—

(क) खण्ड (झ) के अन्त में शब्द “और” के स्थान पर “या” शब्द रखा जाएगा। ; और

(ख) खण्ड (झ) के परन्तुक के पश्चात् निम्नलिखित नया खण्ड (ट) अन्तःस्थापित किया जाएगा, अर्थात्:—

“(ट) राज्य सरकार और केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के मध्य निष्पादित समझौता ज्ञापन के अनुसरण में, भारत सरकार, वित्त मन्त्रालय, राजस्व विभाग, केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के साथ सूचना को सांझा करने के प्रयोजन के लिए ऐसे किसी कथन, विवरणी, लेखे, दस्तावेज, साक्ष्य, शपथ-पत्र या अभिसाक्ष्य की बाबत ऐसी किन्हीं विशिष्टियों के;

प्रकटीकरण को लागू नहीं होगी :

परन्तु राज्य सरकार राजस्व हित में राज्य या केन्द्रीय सरकार के किसी अन्य विभाग के साथ ऐसे किसी कथन, विवरणी, लेखे, दस्तावेज, साक्ष्य, शपथ-पत्र या अभिसाक्ष्य की बाबत ऐसी किन्हीं विशिष्टियों की सूचना का सांझा करना अनुज्ञात कर सकेगी।”।

Act No. 3 of 2017

**THE HIMACHAL PRADESH VALUE ADDED TAX (SECOND AMENDMENT)
ACT, 2016**

(AS ASSENTED TO BY THE GOVERNOR ON 14TH FEBRUARY, 2017)

AN

ACT

further to amend the Himachal Pradesh Value Added Tax Act, 2005 (Act No. 12 of 2005).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-seventh Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Himachal Pradesh Value Added Tax (Second Amendment) Act, 2016.

2. Amendment of section 56.— In section 56 of the Himachal Pradesh Value Added Tax Act, 2005, in sub-section (3),—

- (a) in clause (i) at the end, for the word “and” the word “or” shall be substituted. ; and
- (b) after proviso to clause (j), the following new clause (k) shall be inserted, namely :—

“(k) of any such particulars in respect of any such statement, return, accounts, document, evidence, affidavit or deposition for the purpose of sharing of information with the Central Board of Excise and Customs, Department of Revenue, Ministry of Finance, Government of India in pursuance of Memorandum of Understandings executed between the State Government and the Central Board of Excise and Customs :

Provided that the State Government may in revenue interest allow sharing of information of any such particulars in respect of any such statement, return, accounts, document, evidence, affidavit or deposition with any other Department of the State or the Central Government.”.

TOWN AND COUNTRY PLANNING**NOTIFICATION****CHAPTER-1**
THE CONTEXT

No. TCP-F(5)/2016.—Named after an engineer with this name, Barog is a small village in Solan district of Himachal Pradesh. Till 2003, National Highway 22 (presently National Highway 5) connecting Chandigarh with Shimla used to pass through Barog. On 6th December 2003, the new section of the highway (now N.H.5) passing through Rabon, Anji and Shamlech was inaugurated thus bye-passing Barog settlement. This was done to avoid the steep incline to Barog from Kumarhatti. Barog also falls on the internationally popular Kalka- Shimla narrow gauge (toy train) railway line built by the Britishers more than a century ago. Barog is situated at an altitude of 1560 meters above the mean sea level. It is located at a distance of 60 kms. from Chandigarh. Shimla, the capital city of Himachal Pradesh is 65 kms. from Barog. Temperature here ranges between 15° to 30°C during summer season and between 5° to 15° C during winter season. The Homeopathic College at Kumarhatti, Green Hills Engineering College at Gandhigram, Manav Bharti University and Maharshi Markandeshwar University at Sultanpur & Cantonment at Dagshai are amongst various factors leading to the rapid growth as well as importance of Barog area. The settlement is also known for its commanding site and pleasant views of **Choor Chandni** peak, the mighty **Dhauladhars**, **Dagshai**, lower **Shivaliks** and the plains below. Tourists come here due to its cool climate and close proximity to Chandigarh.

The need to bring Barog village along with its surrounding areas within the ambit of the Himachal Town and Country Planning Act, 1977 was felt by the Government of Himachal Pradesh which extended the provisions of the Act to the so-called Barog Special Area in the year **2000** vide State Government Notification no. TCP-F(5) dated 11.08.2000 published in the Rajpatra dated 16 April, 2001. Four complete hadbast numbers namely Barog (hadbast no. 801), Dhagota (hadbast no. 798), Kumarhatti (hadbast no. 796) and Dharampur (hadbast no. 769) were completely included in Barog Special Area. Besides these villages, areas up to 100 mtrs. on either sides of the then National Highway no. 22 starting from Nagali on Solan-Barog-Kumarhatti road up to the boundary of Kasauli Planning Area at Dharampur were also included under this Special Area. Subsequently in the year 2004, areas up to 100 meters on either side of N.H. 5 i.e., Solan-Rabon-Anji-Shamlech-Kumarhatti road as well as areas up to 50 meters on either side of Dharampur-Subathu road starting from Dharampur bazar up to Shiv temple were also included in Barog Special Area vide State Government Notification no. TCP-F(5)-19/2002 dated 16.02.2004. The provisions of section 15-A of the Act ibid have been extended to Barog Special Area vide State Government notification no. TCP-F(5)4/2000 dated 11.8.2000 which means that the Existing Land Use of Barog Special Area stood frozen with effect from this date. All construction/development activities could henceforth take place solely with the permission of the competent authority. Simultaneously vide State Government Notification No. TCP-F(5)4/2000 dated 16 August 2000, the Government of Himachal Pradesh constituted a Special Area Development Authority for Barog Special Area designated as Special Area Development Authority Barog with its members as here under:—

1. Deputy Commissioner, Solan	Chairman
2. Superintendent of Police, Solan	Member

3. Sub-Divisional Magistrate, Solan	-do-
4. Executive Engineer (NH) Division, Solan	-do-
5. Sr. Executive (HPSEB) Division, Solan	-do-
6. Executive Engineer (I & PH) Division, Solan	-do-
7. Executive Engineer, HPPWD (B&R) Solan	-do-
8. D.F.O., Solan	-do-
9. District Tourism Officer, Solan	-do-
10. Tehsildar, Kasauli/Solan	-do-
11. All Pradhans of concerned Panchayats falling in the jurisdiction of Barog Special Area.	-do-
12. Town & Country Planner, Solan	Member Secretary

The Development Plan for Barog Special Area has now been prepared under provisions of **section 19** of the Himachal Pradesh Town and Country Planning Act, 1977. The plan has been conceived after detailed study of the area in its totality, through interaction with eminent citizens, public representatives, N.G.O.'s and various State Government departments and taking into account the potentials of physical growth trends as well as State Government policies etc.

The document has been prepared by a planning team consisting of personnel qualified in various field like architecture, civil engineering, economics, geography, surveying etc.

The Plan is based upon the projections of the department for the year 2031 A.D. After its approval by the State Government, it is expected to play an important role in ensuring regulated and planned development of Barog Special Area.

CHAPTER-2

TOWN OVER TIME

2.1 NOMENCLATURE

The name Barog is of recent origin that is connected with the construction of the narrow gauge Kalka- Shimla railway line built in early 19th century. Captain Barog, a British engineer commenced the alignment of a tunnel near the proposed railway station now constructed at Barog. Unfortunately his calculations went wrong and the tunnel which was started to be dug from two ends failed to join in the midst. Owing to the loss of time and finance the British Government levied a fine of Rupee 1 on him. He was so ashamed of his failure that he decided to end his life.

Subsequently he was buried near the incomplete tunnel and as a tribute to his professional spirit the area was named as Barog after him.

2.2 HISTORICAL EVOLUTION

Subsequent to the sad event of Captain Barog, the further job of digging the tunnel was taken over by Chief Engineer H.S. Harrington accompanied by a local sage, Bhalkhu, who was considered to be vested with divine powers of surveying and levelling. Finally in September 1903, with a total expenditure of Rs. 8.40 lakh the work was completed and the longest tunnel of this railway line stood in place. This tunnel is the longest of the 103 operational tunnels built on Kalka-Shimla rail line and measures 1143.61 m long. It takes a train about 2.5 minutes to cross this tunnel running at a speed of 25 kms. per hour.

Barog railway station is the most attractive station built on the Kalka- Shimla rail route. The economy of Barog village is primarily dependent upon tourists who come here due to its picturesque location, cool climate and close vicinity to Chandigarh. Many hotels including hotel Korrins, hotel Barog Heights and Hotel Pinewood of the HPTDC are operating in Barog.

IMPERATIVES

In view of its excellent geographical location, soothing climate, nearness to the plains of Punjab and Haryana, premier colonial heritage, panoramic view, natural scenic beauty and environs, Barog is a major attraction to the tourists coming from plains down below. The planning and development of Barog Special Area is required to be ensured in accordance with its spatial planning, environmental and heritage imperatives. The plan document aims to focus on maintaining the premier character of Barog, as a tourist destination on one hand and unique habitat of local population on the other.

CHAPTER-3

SPECIAL AREA

3.1 SPECIAL AREA

In order to ensure planned and regulated growth, the State Government extended the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 to Barog Special Area vide Notification No. No.TCP-F(5) dated 11.08.2000. Areas upto 100 mtrs. on both sides of the erstwhile National Highway No.22 starting from the boundary of Solan Planning Area at Nagali up to boundary of Kasauli Planning Area at Dharampur along with four complete revenue villages of Barog, Dhagota, Kumarhatti and Dharampur were brought within the ambit of Barog Special Area. Existing Land Use of the Special Area was frozen under section 15-A of the aforesaid Act vide State Government Notification No. TCP-F(5)4/2000 dated 11.08.2000, published in the Official Gazette on 16 April, 2001. Subsequently, the Existing Land Use map/register of Barog Special Area was prepared and notified for inviting public objections and suggestions vide office notice no. SADA/Barog Special Area/2001 dated 7.3.2001 which appeared in the Rajpatra on April 16, 2001. The same, after hearing public objections and suggestions, was adopted vide Chairman, SADA, Barog-cum-Deputy Commissioner, Solan notification no.SADA/Barog/Main file/01-460-510 dated 2.12.2001.

Sr. No.	Name of revenue village	Hadbast No.	Area in hectares	Population as per census 2011	Patwar Circle
1.	Barog	801	124	638	Barog
2.	Dhagota	798	43	102	Barog
3.	Kumarhatti (Khali)	796	28	411	Barog
4.	Dharampur (Sihardi Musalmana)	769	34	715	Dharampur
5.	100 mtrs. on either sides of National Highway-22 (Now National Highway- 5) (starting from the boundary of Solan Planning Area at Shamlech up to the boundary of Kasauli Planning Area at Dharampur)		313	420	
6.	100 mtrs. on either sides of the H.P.P.W.D. scheduled road namely Kumarhatti-Barog-Solan from Kumarhatti to Nagali		21	330	
7.	50 mtrs. on either side of the road from the edge of acquired width along Dharampur- Subathu road starting from Dharampur Bazar up to Shiv temple		11	410	
Total ..			574	3026	

Table-1 Area and Population of Barog Special Area in 2011.

Source: (i) Socio- Economic Survey conducted by SADA Barog in 2012
(ii) District Census Compact Disk (CD) for Solan, 2011

3.2 EXTENT OF SPECIAL AREA

Barog Special Area comprises of **574** hectares of land spread over **4** revenue mohals namely Barog, Dhagota, Kumarhatti and Dharampur plus **100 meters** on both sides of National Highway 5 as well as Solan- Barog- Kumarhatti road, and **50 meters** on both sides of Dharampur- Subathu road. The Special Area is spread in 3 panchayats namely Chewa, Barog and Dharampur.

3.3 BOUNDARIES OF BAROG SPECIAL AREA

EAST: Starting from the outer boundary of Solan Planning Area at Shamlech 100 meters on the left/valley side of N.H.5, continuing with 100 meters on the left/valley side up to village Kalol.

SOUTH: Starting from village Kalol 100 meters on the left/valley side of N.H.5 to village Runan Ghoron up to the outer (southern) boundary of village Khali (Kumarhatti) Hadbast no. 796, continuing with 100 meters on left/hill side of N.H. 5 up to Shiv temple.

WEST: Starting from Shiv temple with 100 meters on left/hill side up to the outer (southern and western) boundary of village Sihardi Musalmana(Dharampur), Hadbast no. 768 complete up to the boundary of Kasauli Planning Area, 50 meters on the left side of Dharampur-Subathu road up to Shiv temple, then turning back with up to 50 meters on the left side of this road up to Dharampur bazar, then following N.H.5 up to 100 meters on left/hill side of this highway up to village Khali(Kumarhatti) Hadbast no. 796.

NORTH: Starting from the western boundary of village Khali(Kumarhatti) Hadbast no. 796 up to 100 meters on the left side of Kumarhatti-Barog road up to the outer (western and northern) boundary of village Dhagota Hadbast no. 798, up to 100 meters on left side of Kumarhatti-Barog road upto the outer(western and northern) boundary of village Barog Hadbast no. 801, then following Barog-Solan road up to 100 meters on the left/hill side of this road up to Nagali, turning back along this road up to 100 meters on left side of the road up to the eastern boundary of village Barog Hadbast no. 801.

3.4 SHAPE AND SIZE OF SPECIAL AREA

Barog Special Area comprises of 4 complete revenue mohals. Besides this it covers areas on both sides of various roads in the Special Area. The area is spread over 6 kilometers along Solan-Barog road from Nagali upto Kumarhatti, 10 kilometers along N.H.5 from Shamlech near Solan up to Dharmapur and just 1 kilometer along Dharampur- Subathu road. The Special Area measures nearly 8.5 kilometers along East-West axis and from 220 meters to 1.8 kilometers along North-South axis.

3.4 SETTING

Barog is located on $30^{\circ}53'24''$ and $77^{\circ}04'55''$, at an altitude of 1560 meters above the mean sea level. Situated in the outer Himalayas, Barog Special Area offers a fascinating view of the Choor Chandni Peak and upper Himalayas. It is directly accessible from Chandigarh, Nalagarh and Solan. Barog is 65 Kms. from the State Capital Shimla and is about 60 kms. from Chandigarh. Till 2003, the erstwhile National Highway-22 connecting Chandigarh with Shimla used to pass through Barog. On 6th December 2003, the new section of the highway was inaugurated that now connects Kumarhatti directly to Solan via Shamlech, Anji and Rabon, thus bypassing Barog. This was done to avoid the steep incline to Barog from Kumarhatti.

3.5 IMPERATIVES

As the provisions of the Himachal Pradesh Town and Country Planning Act, 1977 are not applicable to Dagshai Cantonment town, Barog Special Area has no urban settlement in it. The area in question is witnessing linear growth as the settlements are mostly spread along major roads. Thus the Development Plan for Barog Special Area has got to be different from routine Development Plans prepared or being prepared by the Town & Country Planning Department, Himachal Pradesh for various Planning/Special Areas of the State.

LOCATION MAP



Figure 1: MAP OF INDIA

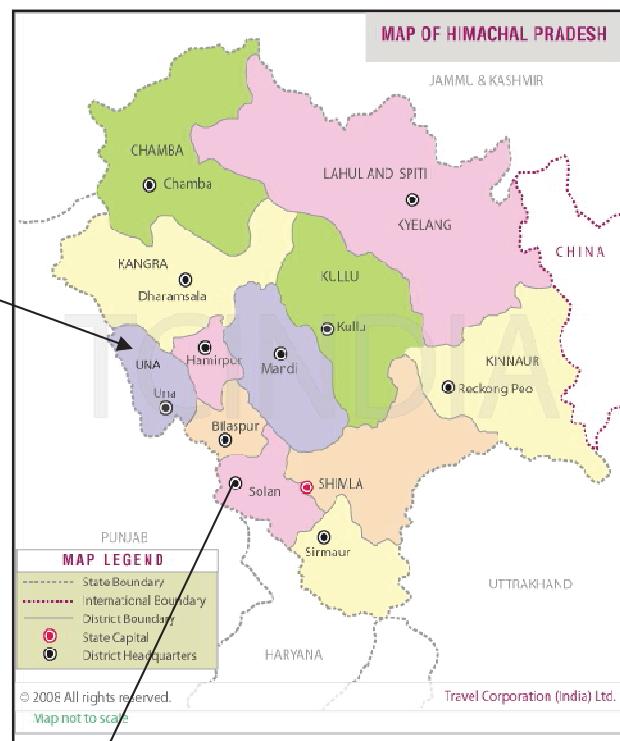


Figure 2: MAP OF HIMACHAL PRADESH



Figure 3: MAP OF SOLAN DISTRICT

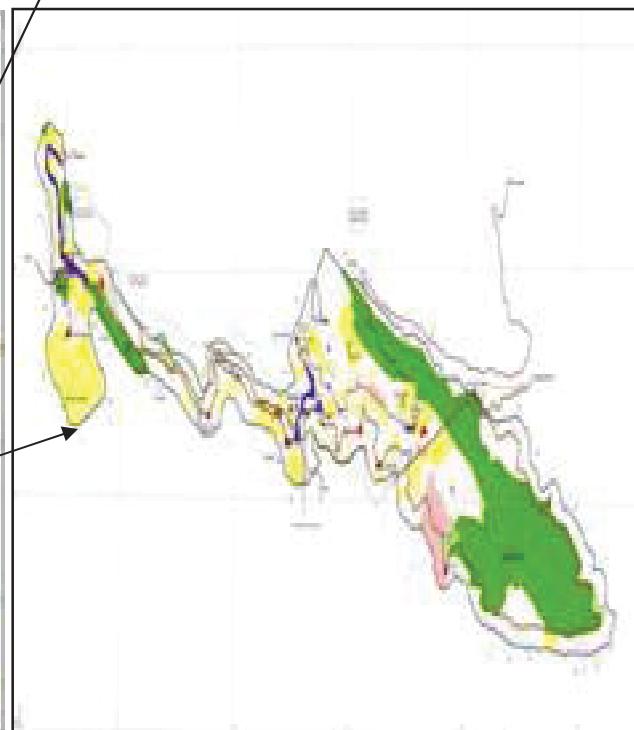


Figure 4: MAP OF BAROG SPECIAL AREA

CHAPTER-4

REGIONAL SCENARIO

4.1 REGIONAL PERSPECTIVE

Barog derives its name from Barog, an engineer involved in building railway track in 1903. It is now a vibrant settlement, having multifarious activities like tourism, education, health and institutional establishments. Broadly Barog is a part of the influence zone of Solan town. Being located at a distance of just 4 kms from Dohri Dwar at Saproon, it depends on Solan town for various specialized activities like health, education, transport etc.

4.2 REGIONAL LINKAGES

Barog is frequently visited by the tourists, due to its commanding view and scenic environs. It is linked by roads with the National Highway and Solan-Barog-Kumarhatti road. The nearest broad gauge railway station at Kalka is 40 kilometre away. The narrow gauge railway station is available at Barog itself.

4.3 REGIONAL RESOURCES

Agriculture, horticulture and tourism are the mainstay of the economy of this region. The geo-climatic features of this region are very much congenial for the development of commercial farming and horticultural pursuits. During recent years, commercial farming has become a prime concern of economy of this region.

4.4 REGIONAL IMPERATIVES

It is important to assess the significance of Barog Special Area in the regional context.

CHAPTER-5

PHYSICAL AND ENVIRONMENTAL CONSIDERATIONS

5.1.1 PHYSIOGRAPHY

Barog Special Area spreads over Barog range of upper Shivaliks along East-West direction. It is hilly in character with pockets of Government as well as private forests, nallahs, steep slopes, terraced fields and meandering roads.

5.2 CLIMATE

Barog is a small hill station situated at an altitude of 1560 mtrs. above mean sea level, cool in summer, gets occasional snowfall in winters. Due to its height, temperature ranges between 15 to 30 °C during summer and between 5 to 15 °C during winters.

5.3 FLORA

Barog hills are covered with conifers and many varieties of coniferous or deciduous trees. Every species has its own time of leaf shedding and as such, at no particular time the forests are absolutely bare. Some of the deciduous trees shed their leaves for about six to eight weeks in hot weather to avoid transpiration from their broad leaves. The trees are medium to tall in height. The

area has forests of hard wood. In general, the forests are less resistant to fire. Barog is clothed heavily with conifers in which resin rich Chil trees (*Pinus Longifolia*) dominate. The common trees of the area are White Leafed Oak (*Quercus Incana*), Silver Oak (*Grevillea Robusta*), Deodar (*Cedrus Deodara*), 'Kainth' (*Pyrus Variolosa*), 'Paja' (*Prunus Padum*), 'Kharak' (*Carpinus Species*), 'Kakar' (*Pistachia Integerrina*), 'Simbal' (*Bombax Malabaricum*) and wild cherries. Some fruit trees namely plum, apricot etc. are common in this area.

5.4 FAUNA

In this area Leopards (*Panthera Pardus*) occasionally visit. The Leopard-Cat (*Felis Bengalensis*) and the Jungle Cat (*Felis Chaus*) were also common. Red-Monkeys (*Rhesus Monkey*) were numerous and in winter months the station was visited by large hill 'Langurs' (*Presbytis Schistaceus*). 'Gural' (*Nemorhoedus Goral*) were common.

While 'Kakurs' (*Muntiacus Muntjak*) and Wild Boar (*Jangle Soor*) were a common sight in the scrub jungle, large Pine Marten visited occasionally. Flying Fox (similar to the Squirrel) which moves during night from tree to tree was also plentiful.

As regards game birds, Barog was fairly well off. The white-crested Kalij Pheasant (*Gennacus Albocristatus*), Red Jungle Fowl (*Gallus Ferruginous*), Painted Sandgrouse (*Pterocles Fasciatus*), Jungle Bush Quail (*Perdicula Asiatics*), Black Partridge (*Francolinus Vulgaris*), Grey Partridge (*Francolinus Pondicerianus*) and Imperial Sandgrouse (*Pteroclurus Arenarius*) were found abundantly. The fauna is on the decline with the increased traffic and residential/commercial activities.

5.5 GEOLOGY AND SOIL

The band of conglomerates, sandstone and clay, which run through the Himalayas along their outer margin is known to geologists, as the sub-himalayan zone and rocks of this zone fall into two well-marked sub-divisions, known as the Sirmour and Shiwalik series, respectively. The rocks under the Sirmour group of Eocene to Miocene age comprise of shale with layers of limestone, sandstone, clay and local pebble beds. Morphologically, this area lies in Himalayan Fore dip zone forming structural ridges and valleys. It forms part of the sub-himalayan belt of soft to moderately hard sedimentaries of Engineering Geological Province. Based on engineering properties, the rocks have been categorized as soft to moderately hard sandstone, shale and boulder conglomerate. As per Seismic Zonation map of India, the area under question lies in Zone-IV and the same is susceptible to low intensity earthquakes.

The uppermost stage of the Sirmour series is exposed at Barog and consist chiefly the sandstone and it belongs to the Tertiary state. The upper Shiwaliks correspond with the Pliocene of Europe, while the evidence afforded by fossils correlates the Subathu stage with the Eocene and the Barog stage with the Miocene.

A well preserved, diverse assemblage of flora and fauna was excavated in and around Barog. These fossils hold testimony to the fact that these hills were once inhabited by a large number of apes, tigers, elephants, hippos, giraffes, crocodiles and land tortoises. These mammalian fossils have helped Paleontologists to solve the mysteries of the evolution of pre-historic life and deduce the details about the climate and environment during the Miocene Age.

Geologically, Barog Formation represents one of the mega bio-geological events in the past, which led to the present evolution of the Himalayas. The plant fossil assemblages discovered here are referable of the Palmacites, Sabalites, Clinogyne, Paocites, Bauhinia, Syzygium, Garcinia, Gluta and Combretu.

5.6 ENVIRONMENTAL CONCERNS

People from the plains of Punjab, Haryana, Chandigarh and Delhi prefer to visit or settle in the area. The stakeholders from various walks of life including businessmen, real estate builders and hoteliers have been purchasing land in the Special Area. In the process of development, the environment and ecology of the area have been threatened by the forces of urbanization thereby leading to the following ills:-

- i) Felling of trees has led to reduction in vegetal cover and thereby denudation of hills.
- ii) Hill slopes are getting disfigured on account of unscientific excavation. Hill cutting by blasting is damaging air, water, soil and tree cover.
- iii) Nallahs are getting choked due to the debris being dumped therein.
- iv) Private parties have been drilling bore-wells and the same have led to lowering the level of ground water table as well as drying up of spring sources.
- v) Many multi-storey structures have come up in different parts of Barog Special Area, which act as eyesores upon the townscape.
- vi) Concrete culture is ruining the architectural ethos of this area.
- vii) There is an acute shortage of parking places in the Special Area.
- viii) Many 'dhabas', guest houses and hotels have come up on the road side which sometimes look awkward.
- ix) The area lacks sanitation since local panchayats as well as SADA Barog lack finances and resources meant for this purpose.
- x) Non-conforming structures are hazardous.
- xi) Traffic congestion is causing vehicular pollution.
- xii) The commercial projects are disturbing ecology by altering land use and felling of trees and the same are getting exposed and thereby leading to desertification as well as land slides.
- xiii) The multi-storey reinforced cement concrete structures in the area are susceptible to landslides.
- xiv) There are serious threats to the availability of water on account of sand and stone mining, tree felling, forest fires and soil erosion.

5.6 EYESORES OF BAROG

There are some pockets in Barog Special Area, which have developed in a haphazard manner and have thick development. These pockets are eyesores amidst the natural landscape around them. The major eyesores of Barog are Barog bazar, Kumarhatti bazaar and Dharampur bazar.

5.7 IMPERATIVES

The quality of environment in Barog Special Area is deteriorating on account of day to day influx of population and development activities. The balance between human activities, on one hand as well as ecology and environment of Barog Special Area, on the other, is required to be struck. It is imperative that development is ensured in accordance with terrain conditions, sustainability of the area, norms and standards of spatial planning and regulatory measures.

CHAPTER-6 DEMOGRAPHIC CHARACTERISTICS

6.1 POPULATION GROWTH

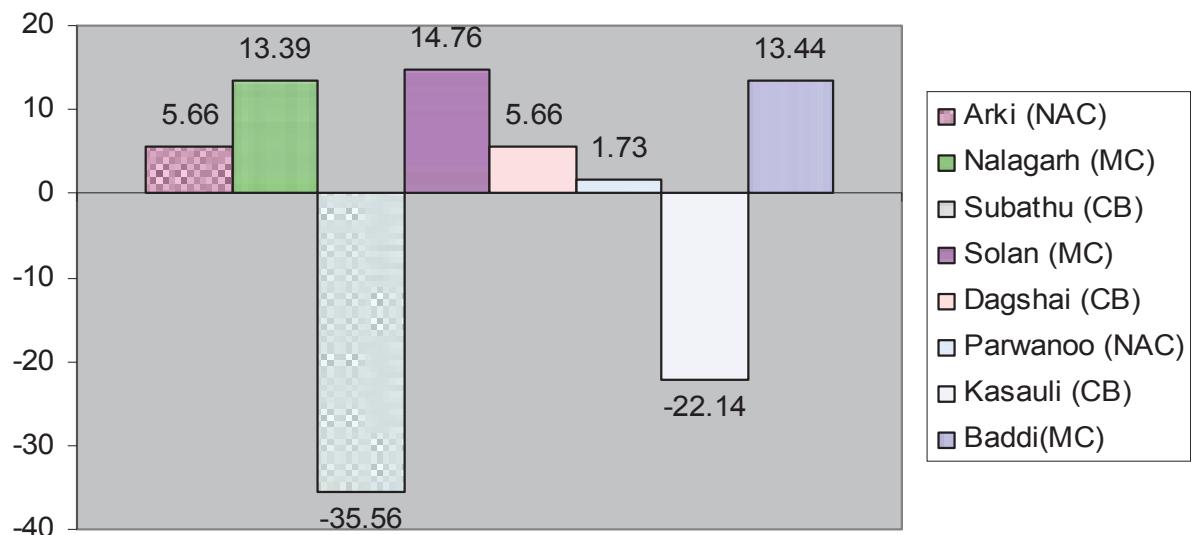
Population of Barog Special Area was 2,452 persons as per 2001 census. It further increased to 3,026 persons as per 2011 census and socio- demographic survey conducted by SADA Barog for Barog Special Area in the year 2012. This means that there has been a growth rate of **23.40%** during the decade 2001-2011. The growth rate of overall population in Himachal Pradesh over the same period was **12.94%** whereas the growth rate of urban population in this State has been **15.61%** during the decade 2001-2011. The population and growth rates of various towns falling within Solan District are as under:—

Table 2- Population and growth rates of towns in Solan District

Sr. No.	Town	Population		Growth rate 2001-2011
		2001	2011	
1.	Arki (NAC)	2877	3040	5.66%
2.	Nalagarh (MC)	9443	10708	13.39%
3.	Subathu (CB)	5719	3685	-35.56%
4.	Solan (MC)	34206	39256	14.76%
5.	Dagshai (CB)	2750	2904	5.6%
6.	Parwanoo (NAC)	8609	8758	1.73%
7.	Kasauli (CB)	4990	3885	-22.14%
8.	Baddi (MC)	22601	25639	13.44%

Source: District Census Handbook, 2001 and District Census Compact Disk (CD), Solan 2011

GROWTH RATE OF VARIOUS TOWN IN DISTRICT SOLAN (2001-2011)



Cantonment towns usually have lower growth rate of population on account of strict control on transaction of land and construction activities. The land is vested with the Central Government and is made available to private individuals on lease basis only. However even with respect to other urban settlements falling in Solan District, the growth rate of Barog Special Area has been quite high. This can be attributed to the constitution of Barog Special Area which comprises of 4 complete hadbast numbers situated along prime roads as well as 100 or 50 meter wide strips along three important roads. All these roads are witnessing intense urbanization on account of coming up of hotels, show rooms, educational institutions, apartments plus commercial establishments etc.

6.2 SCHEDULED CASTE POPULATION

Barog Special Area has a population of 585 persons in the scheduled caste category which amounts to 19.33 percent of the total population. The same is lower than the corresponding figure of 30.90 percent for the State of Himachal Pradesh.

6.3 SEX RATIO

There are 1,507 females against 1,519 males as per 2011 census and socio- demographic survey conducted for Barog Special Area where as 33,82,729 females against 34,81,873 males as per 2011 census of the State. The sex ratio works out to 992 females per 1000 males as against 971 females against 1000 males in Himachal Pradesh.

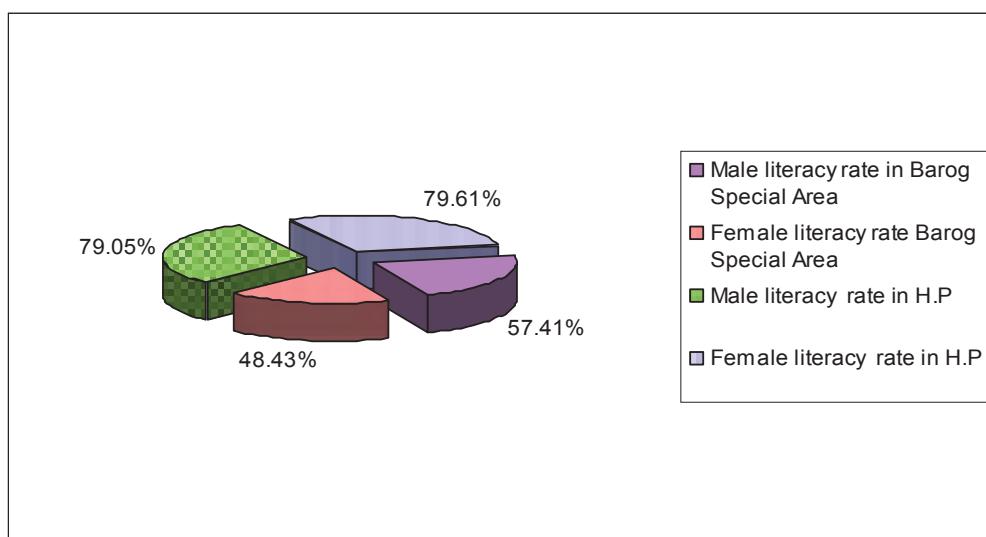
6.4 LITERACY

Out of the total population of 3,026 persons in Barog Special Area in 2011, there were 1,609 literates, which amounts to 53.17 percent. The same is lower than 73.41 percentage of the State. The lower percentage of the literates is due to migration of illiterate workers engaged in road side dhabas, hotels and transport activities etc. The comparison of male and female literates in Barog Special Area and Himachal Pradesh State is as under:—

Table 3- Comparison of male and female literates in Barog Special Area and Himachal Pradesh in 2011 (percentage)

Item	Barog Special Area	Himachal Pradesh
Male literacy rate	57.41	79.05
Female literacy rate	48.83	67.61
Total literacy rate	53.17	73.41

Source: (i) District Census Compact Disk (CD), Solan, 2011
(ii) Himachal Pradesh Census Compact Disk, 2011
(iii) Socio-demographic survey conducted by SADA, Barog in 2011.



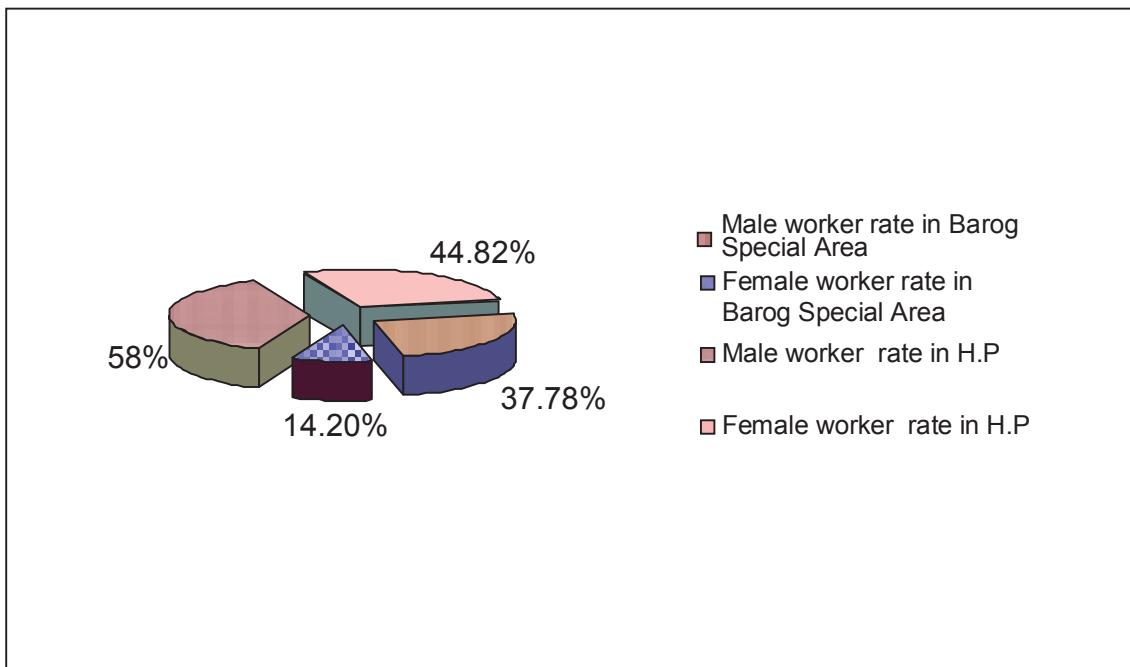
6.5 NUMBER OF WORKERS

Out of the total population of 3,026 persons in Barog Special Area, there are 788 workers. The same works out to 26.04 percent of total population. Out of 788 workers, 574 are males and 214 females. The comparison of male and female workers in Barog Special Area and Himachal Pradesh is given as under:—

Table 4- Comparison of male and female workers in Barog Special Area and Himachal Pradesh (percentage)

<u>Item</u>	<u>Barog Special Area</u>	<u>Himachal Pradesh</u>
Male workers	37.78	58.00
Female workers	14.20	44.82
Total workers	26.04	51.85

Source: (i) District Census Compact Disk (CD), Solan, 2011
(ii) Himachal Pradesh Census Compact Disk, 2011



6.6 IMPERATIVES

Barog Special Area has a population of just 3,026 persons as per 2001 census and socio-demographic survey conducted by SADA, Barog for Barog Special Area in the year 2012. This population is spread over an area of 574 hectares.

CHAPTER-7

TRADE AND COMMERCE

7.1 STATUS OF SHOPS

As per survey conducted by the department, there are 478 shops and 10 rehris in Barog Special Area. Mostly these shops are existing along the National Highway-22, Barog- Kumarhatti road and Dharampur- Subathu road. General size of shop is 3.0 mtr. X 3.0 mtr., having an area of 9.00 sqm of each shop.

7.2 TYPES OF SHOPS

The shops are mostly one and two storeyed in this area. For wholesale and specialized shopping activities, people have to go to Solan and Kalka towns. Out of 478 shops, 141 are daily needs, 38 dhabas type, 89 of karyana and cloth and remaining are of other types.

7.3 IMPERATIVES

Barog Special Area with a small size of population of 3,026 persons is sparsely scattered over a large spatial extent. The commercial facilities existing at the moment are almost sufficient for the future requirements of the Special Area. A sabzi mandi also exists at Dharampur.

CHAPTER-8

TOURISM AND INDUSTRY

8.1 TOURISM

Barog, though a little place, is emerging as a lovely holiday attraction to spend a day in. It is the temperature difference, an offer of a charming view and peaceful environment that attract an individual from the hotter plains down below.

8.2 TOURIST's ATTRACTIONS

Barog's attractions include railway station which is the most attractive one on the Kalka-Shimla railway line and also has the longest tunnel which is over a kilometer long. In the past couple of decades, Barog has emerged from a mere stop over on the highway to a popular destination. Surrounded by pine forests and views of valleys and the peak of **Choor Chandi**, this is also a convenient weekend getaway from Delhi, Punjab and Haryana region. The salubrious climate accentuated with cool breeze, provides great solace to the heat stroked people from the plains.

8.3 TOURIST TRAFFIC

Data from secondary sources indicates that about 3,000 tourists from different walks of life visit Barog on a day during peak in the summer season. The general mode of travel to Barog is by car/taxi. On an average around 300 taxis enter the Special Area. There are 200 regular buses passing through Barog from Delhi, Punjab, Haryana and Kasauli region. Out of total, 150 are Government and 50 are private buses. Moreover, about 25 to 30 tourist coaches also touch the special area in peak season daily.

8.4 STAY OF TOURISTS

Being in the vicinity of plains, visit to Barog involves less travel time and travel cost. It has, therefore, emerged as a day time tourist destination. On account of location of the settlement in the vicinity of Chandigarh as well as plains, it has acquired character of a day time tourist destination. About 20% of the tourists stay at Barog for just a day. About 30% tourists stay for 2 days.

8.5 TOURIST ACCOMMODATION

Accommodation for night halt for tourists is available both, in hotels as well as resorts in the Special Area. As per survey, there are around 72 suits rooms with a total of 134 double beds available to the tourists in the Special Area. This includes Hotel Pine Wood being run by the Himachal Pradesh Tourism Development Corporation.

8.6 TOURIST OCCUPANCY

The overall occupancy in tourism units is around 80% during peak season. However, the same is below 20% in general.

8.7 TREND OF TOURISM DEVELOPMENT

Generally, tourist activities have come up along the roads. Hotels, guest houses, home stay units, restaurants, dhabas, tea and coffee shops have emerged almost along the entire N.H. 5 (Dharampur to Solan) as well as Kumanhatti - Barog- Solan road.

8.8 INDUSTRY

There are a few small industries in Barog Special Area namely Oystev Pharma Pvt. Ltd., S.P.B. Pharma Pvt. Ltd., Ross Robinns Biotech Pvt. Ltd. and Shubham Industry. Oystev Pharma industry has 32 workers; S.P.B. Pharma Pvt Ltd. has 100, Ross Robinns Biotech 31 and Shubham Industry 10 employees. Thus total number of workers in these units is 173.

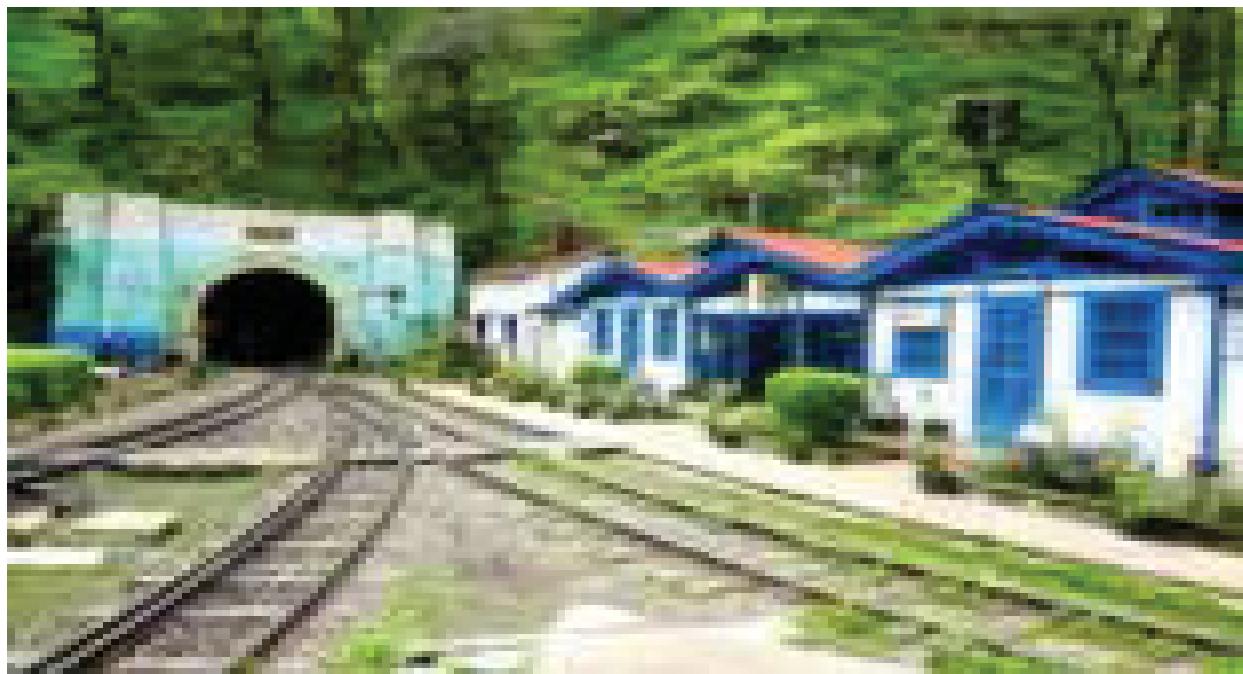
8.3 IMPERATIVES

Since there is an acute shortage of water in Barog Special, as a principle more hotels, restaurants and resorts should not be encouraged. Hence, it is imperative to put certain restrictions in terms of location and other restrictions while allowing any such proposals in future. The industrial facilities existing at the moment are almost sufficient for the future requirements of Special Area.

CHAPTER-9 HERITAGE

The entire Kalka-Shimla railway line stands declared as world heritage by UNESCO. This rail line is a classical piece of engineering in itself. It is our foremost duty to protect and preserve every inch of this line along with the beautiful railway stations constructed along it. The track was laid in the early 19th century and boasts of the same glory today.

Besides the railway line plus stations on it, there is hardly any building or area which can be stated to be of heritage significance in so far as Barog Special Area is concerned.



Barog railway station



Longest tunnel on Kalka- Shimla railway line

बडोग सुरंग नं: ३३

VISUAL IMPRESSION**Hill slopes**

There are lot of steep sites which should be prohibited for construction / development activities

Multi storeyed buildings (Apartments)



Multi storeyed buildings (Apartments)

Lot of apartments are coming up in Barog Special Area. This is on account of lovely climate and environs in and around Barog

Road side parking





Road side parking



Road side parking is a big problem in Barog Special Area

Shortage of bus-stops, bus stops and rain shelters

Shortage of bus-stops, bus stops and rain shelters



There are no organised bus stops at Barog, Kumarhatti and Dharampur bazars

Hotels, guest houses and home stay units

Hotels, guest houses and home stay units



Hotels, guest houses and home stay units

Nice hotels and guest houses are coming up in a big way in Barog Special Area

Commercial activities (show rooms)



Commercial activities (show rooms)



Lot of show rooms and other commercial buildings have come up in and around Kumarghatti.

Road side commercial activities

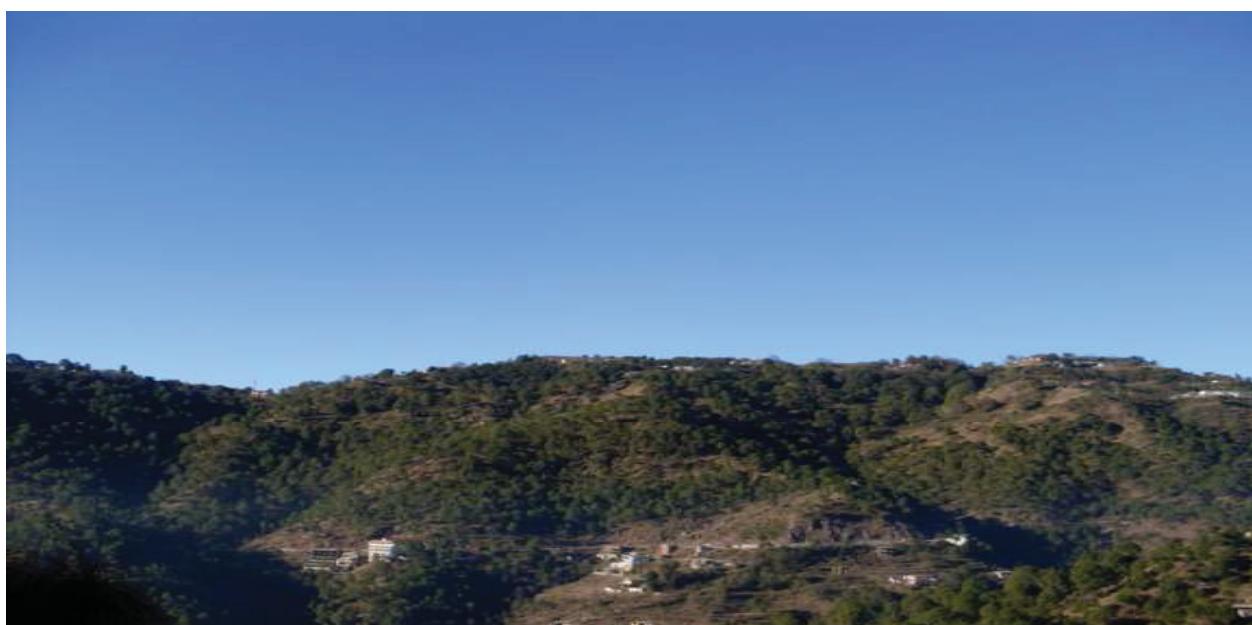
Road side commercial pursuits are highly risky

Sanitation



Insanitation is a big threat to environments in Barog Special Area.

Forest



Rich forest cover between Kumarhatti and Dagshai

CHAPTER-10

FACILITIES AND SERVICES

10.1 EDUCATIONAL FACILITIES

Presently there are total 3 primary schools in Barog Special Area. One primary school is located each at Barog, Kumarhatti and Dharampur. There is one middle school and 2 high schools at Kumarhatti. There is one senior secondary school located at Dharampur.

10.2 MEDICAL FACILITIES

Presently there is one Ayurvedic dispensary at Kumarhatti and one at Barog. There is also a private Homeopathic medical college at Kumarhatti. Nearby at Sultanpur there is a private medical college as well as hospital which are barely 5 kilometers from Kumarhatti.

10.3 POSTAL AND TELECOMMUNICATION SERVICES

There are 3 sub-post offices providing postal services to the people of Barog Special area. The same are located at Barog, Kumarhatti & Dharampur. A telephone exchange also exists at Dharampur.

10.4 FIRE STATION

There is no fire station existing in the area. A fire station already exists at Solan which is conveniently near to Barog Special Area.

10.5 BANKING FACILITY

Presently there are 4 bank branches operating at Kumarhatti namely Bank of Baroda, UCO Bank, SBI, UCO Bank & Oriental Bank of Commerce and ATM's of 6 banks namely PNB, UCO, Bank of Baroda, SBI, Axis bank and Oriental Bank of Commerce. At Dharampur there are 6 bank branches namely HDFC, PNB, Jindal Bank, State Bank of Patiala, Central Bank of India and ING Vyas and ATM's of 3 bank namely HDFC PNB ING Vyas.

10.6 IMPERATIVES

As per the present population of Barog Special Area, basic social and services infrastructure seem to be adequate. For medical facilities most of the people prefer to go to the zonal hospital at Solan, Maharishi Markandeshwar University at Sultanpur near Kumarhatti, Dental collage at Tatool and TB hospital at Dharampur. However community halls a stadium are required to be provided in the Special area.

CHAPTER-11

BASIC SERVICES INFRASTRUCTURE

11.1 WATER SUPPLY SYSTEM

The sources of water supply in Barog Special Area are springs and Giri river. The military as well as civil population of Barog, Kumarhatti and Dharampur are being served water by these sources. The total supply is 3.5 to 4 lakh litres per day and @70 litres per capita per day.

11.2 WATER SUPPLY SCHEMES FOR SPECIAL AREA

There is no new scheme for water supply planned by the I& PH department in respect of Barog, Kumarhatti or Dharampur settlements for near future. Presently LWSS Sumti, Dagroh and Giri river are serving the people of Barog Special Area.

11.3 CONSTRAINTS OF WATER SUPPLY

Barog is likely to witness continuous shortage of water supply, as there is no new scheme in the offing. It is therefore, not desirable to allow major commercial establishments, apartments, tourism and industry projects in Barog Special Area unless an independent arrangement of own water supply or source is guaranteed by an entrepreneur or developer to the satisfaction of the competent authority. No water demand for any commercial functions, industries and hotels has been considered by the I&PH department while arriving at the design population.

11.4 SEWERAGE

There is no organised sewerage system in Barog Special Area. Individuals and institutions have constructed their own septic tanks. Presently, there is no proposal of I & PH department for providing sewerage system for any of the settlements located in Barog Special Area.

11.5 STORM WATER DRAINAGE

There is no organised system for storm water drainage in Barog Special Area. Gram Panchayats construct drains along paths and streets in an isolated manner subject to the availability of funds. However, along major roads, the Public Works Department constructs culverts, cross drains and side drains to ensure proper drainage in accordance with topography of land.

11.6 ELECTRICITY NETWORK

At present, there is no electricity sub-station established in Barog Special Area. Various settlements falling in the said area are being served through two sub-stations existing at Garkhal and Saproon. There are approximately 12,000 consumers under these sub-stations out of which nearly 20 % consumers are covered in this Special Area. The HPSEBL has mooted a proposal for establishing a new sub-station at Gandhi Gram near Kumarhatti in view of upcoming educational complexes around Kumarhatti.

11.7 SOLID WASTE DISPOSAL

Presently, there is no organised solid waste management system within Barog Special Area. Efforts in isolation are being made by Gram panchayats Barog, Kumarhatti and Dharampur for collection and lifting of solid waste from these bazaars. Earlier SADA Barog did a nice job in this direction. However since the said authority is hardly getting any funds, it is not in a position to do so now.

11.8 IMPERATIVES

Barog Special Area has inadequate infrastructural base in terms of water supply, sewerage, drainage and sanitation. It is, therefore, imperative to strengthen the basic infrastructure of the area.

CHAPTER-12

GOVERNMENT OFFICES AND INSTITUTIONS

12.1 GOVERNMENT OFFICES

A Sub-Division of Himachal Pradesh State Electricity Board is at Dharampur, which looks after running and maintenance of power networks in the Area. A telephone exchange, Elementary Education Office and Forest Depot are also at Dharampur, a Patwar Khana and IPH Guest house are at Kumarhatti. A Police Station, Sub-Division of I&PH and Block Development Office are located at Dharampur however, these offices are not covered in the jurisdiction of Barog special Area but serve the people of this area and are nearest from this area.

12.2 INSTITUTIONS

There is a Homeopathic Medical College at Kumarhatti. Manav Bharti University and Maharishi Markandeshwer University at Bohli near Kumarhatti, and Dental Collage at Tatool are also serving this area however these universities do not fall within the jurisdiction of Barog Special.

CHAPTER-13

TRAFFIC AND TRANSPORTATION

13.1 EXISTING ROAD NETWORK

National Highway-5 acts as a life line for tourists coming from Chandigarh as well as Shimla. Four laning of the highway is likely to give relief to tourist traffic which is in the offing.

There are 2 other important roads running through the Special Area i.e Kumarhatti-Barog road and Dharampur-Subathu road. The width of these road is 7 to 10 mtrs.

Kumarhatti Bazar with 5 roads converging on it is a big traffic bottleneck. The roads which emanate from this point are Solan Kumarhatti via Barog, National Highway, Dharampur-Kumarhatti, Kumarhatti-Nahan and Dagshai Cantonment road.

13.2 PARKING FACILITIES

Buses, taxis, cars and trucks stop anywhere in the bazaar areas. The roads have less width than required. There are neither proper bus stops nor loading and unloading spots. Car and taxi parking lots are missing. The traffic jams on roads are quite common and the same result into delays. Improvement of junctions at Kumarhatti, Dharampur are required to be undertaken. As the vehicles are parked on the road side, the same reduce the carrying capacity of the roads. Road side parking makes journey risky and hazardous.

The violations of section-16c of the Himachal Pradesh Town and Country Planning Act, 1977 have led to haphazard creation of plots without proper roads and approaches. In the absence of proper roads, those persons who have acquired haphazard or zig-zag 'Khasra' numbers are not in a position to ensure proper access and accordingly parking of their vehicles has become problematic.

13.3 TERMINAL FACILITIES

(a) Bus-stops

There is no bus stand in the Special Area. The distance of District Headquarters at Solan is not too long to propose a bus-stand. Therefore bus-stops have been proposed at Barog, Kumarhatti and Dharampur bazaars.

(b) Taxi Stand

The vehicle owners and taxiwallas park their vehicles on the main road. There are approx. 20 taxis at Kumarhatti and about 40 in Dharampur. A parking lot is required to be developed near Kumarhatti Bazar so that this area is made free from idle parking. A taxi stand is already at Dharampur. The same need to be organised properly.

13.4 RAILWAY LINE AND RAILWAY STATIONS

Barog also falls on the internationally popular Kalka-Shimla narrow gauge (toy train) railway line. It passes through 4 tunnels. The distance of railway line from Kumarhatti Railway station to Dharampur is approximately 15 kms. and width 0.76 mtrs. 3 Railway stations are available in this area at Barog, Kumarhatti and Dharampur.

13.5 IMPERATIVES

Roads and streets are not capable to cater for the traffic volume, which has increased manifold during last several years. The roads are generally occupied by road side parking of vehicles, stacking of construction material, articles of shop keepers kept on the carriage way and projections of commercial establishments over roads. Therefore, local bodies and law enforcement agencies have to ensure stringent action against violators in the larger public interest, so that roads are kept free for public and vehicular movement. In order to ensure smooth flow of traffic, the following measures are required to be taken:-

- i) Provision of bus-stops and a parking lot be made at Barog Kumarhatti and Dharampur bazaars.
- ii) Improvement of junctions
- iii) There is trend of constructions to come up right on the road side. Such a trend is required to be discouraged and prevented. In order to cope up with parking requirements, provision of parking floor as well as parking in accordance with imperatives of various uses are warranted.
- iv) Barog being a tourist place, a tourist trek has been proposed from Barog to Barog railway station.
- v) A road from N.H-5 (near Hyundai) to Barog railway station has been proposed
- vi) Four Laning of National Highway-5.

CHAPTER-14

EXISTING LAND USE AND REQUIREMENTS

14.1 EXISTING LANDUSE

Generally development has come up in entire Barog Special Area barring forest areas, nullahs and steep slopes. Development has also come up in ribbon fashion along major roads. However entire Special Area is urbanized as on this day. This is because of tourism potential as well as apartment culture. Lot of non-himachali people have bought lands or cottages or flats in the Special Area

Table 5-Existing Landuse Structure-2012

Sr. No.	Landuse	Area (in Hectares)	%age of total area
1.	Residential	119	70
2.	Commercial - Shops - Hotels	8 03 05	2.94 1.76
3.	Industrial	1	0.59
4.	Public & Semi-Public including facilities and Government & Semi-Government Offices.	2	1.18
5.	Organized parks and open spaces	---	---
6.	Traffic & Transportation (roads, railway line, terminals and parking).	40	23.53
Total Urban Uses		170	100%
7.	Vacant land, steep slopes and nallahs	179	---
8.	Forests	225	---
Total Special Area		574	---

Source: Survey conducted by SADA, Barog

14.2 LANDUSE PATTERN

The above table reveals that the residential area dominates the landuse structure. Out of total area of urban uses, 70 percent area is under the residential use. Traffic and Transportation accounts for 23.53 percent of the total area. Public and Semi-Public use including educational, health facilities, Government and Semi-Government Offices comprises of 1.18 percent of the total area. There are no organized parks and open spaces.

14.3 ADDITIONAL REQUIREMENTS

Additional requirements of various landuses of Barog Special Area have been worked out as under:-

Table-6. Additional Landuse Requirements for 2031

Sr. No.	Landuse	Area (in Hectares)	%age of total area
1.	Residential	10	12.19
2.	Commercial - Shops - Hotels or Restaurants	- - -	- - -
3.	Industrial	-	-
4.	Public and Semi-Public Use including facilities.	3	3.66
5	Organized parks and open spaces	5	6.10
6.	Steep Slopes	6	7.32
7.	Traffic & Transportation (roads, railway line, terminals and parking).	58	70.73
Total		82	100%

14.4 IMPERATIVES

The growth until 1990 was in the shape of isolated, thick and piecemeal clusters or pockets. The recent developments however, are in the form of linear or ribbon shape along the major roads. Such development is not conducive for ensuring holistic and sustainable development of the area. This trend has to be discouraged by promoting development of social and economic infrastructure equitably in the entire Special Area and thereby ensuring organized development involving less investment and thus low prices of built properties. Mechanism along the major roads is required to be enforced. Planned and systematic development, in accordance with ecological imperatives, is warranted to ensure the premier character of the town. This Development Plan document strives for ensuring systematic, sustainable and holistic development of the area, addressing the requirements of local inhabitants as well as tourists. Keeping in view perspective requirements of the plan period, proposed landuse has been worked out to ensure balanced and eco-friendly development. The central idea that no new commercial venture negatively affects the already residing local population and existing tourist as well as other establishments is required to be kept in view, during finalization of the Plan document.

CHAPTER-15 PLANNING AND DEVELOPMENT PROPOSALS

15.1 PERSPECTIVE

Barog is likely to witness continuing shortage of water supply, as there is no new water supply scheme in the offing. It is, therefore, imperative that only such commercial activities be allowed in the Special Area which are in the interest of residents and tourist population and shall require less water. It is therefore, not possible to allow major commercial establishments, apartments, tourism and industry projects in Barog Special Area unless an independent arrangement of own water supply or source is guaranteed by an entrepreneur or developer to the satisfaction of the competent authority. No water demand for any commercial functions, industries and hotels has been considered by the I&PH Department while arriving at the design population.

The State Tourism Department has imposed restrictions on allowing hotels and guest houses, in view of saturation of the area. Only such tourist projects, which are going to act as asset to Barog Special Area, shall be allowed, provided that the stakeholders thereof are in a position to meet with their entire water supply requirements through rain harvesting or alternate measures and the same are endorsed by the Tourism Department. The apartments may be allowed at strategic locations, in an eco-friendly manner, involving least hill cutting, provided that the builders thereof shall ensure their own water supply. However, no connection to such projects shall be given from Public Water Supply Schemes, meant for the resident population and already existing activities and establishments.

15.2 PROPOSED LANDUSE

15.2.1 Residential Use

Total population of Barog Special Area is 3026 persons as per 2011 census. It is anticipated that population of Special Area 23.40 percent growth rate shall increase from 3026 to 4600 persons by plan year 2031. Therefore 21 hectare area has been proposed for residential use.

15.2.2 Trade and Commerce

As trade and commerce activities including shops are already more than adequate for the year 2031, the same are not required to be proposed in the plan document.

15.2.3 Hotels and Restaurants

As hotel and restaurant activities including shops are already more than adequate for the year 2031 the same are not required to be proposed in the plan document.

Essential tourist infrastructural facilities like urinals, toilets, rain-shelters, sitting spaces or platforms are proposed to be provided at strategic locations in the Special Area. This is imperative so as to provide road side amenities for the tourists visiting this area

15.2.4 Industrial use

The industrial facilities existing at the moment are almost sufficient for the future requirements of Special Area therefore the same are not required to be proposed in the plan document.

15.2.5 Facilities and services

(i) Educational Facilities

Educational facilities are adequate for the year 2031, the same are not required to be proposed in the plan document

(ii) Medical Facilities

For medical facility mostly people go to city hospital at Solan, Maharishi Markandeshwer University near Kumarhatti, Dental collage at Tatool and TV Hospital at Dharampur. No further facilities are required in Barog Special Area. However a trauma Centre needs to be set up on N.H. 5 to cater to fatal accidents.

(iii) Post Offices

One post office each existing at Barog, Kumarhatti and Dharampur are adequate for the future requirement, therefore same are not required to be proposed in the plan document.

(iv) Community Hall

One community hall-cum wedding place each has been proposed at Barog, Kumarhatti and Dharampur. A Stadium has also been proposed at Dharampur near Sen. Sec. School Dharampur.

(v) Bank

One branch of the bank is required to be opened at Barog. Therefore the same has been proposed.

15.2.6 Parks and open spaces

An area of 5 hectares has been proposed under Parks and Open Spaces in three pockets namely at Nagali, at Patta Mour near Shiv temple and in Dharampur.

15.2.7 Traffic and transportation

15.2.7.1 Proposed Roads/trek

- i) It is proposed to widen Kumarhatti and Dharampur Bazaar roads, as these links to different directions emanating from here. Though it would involve huge cost, yet the step has to be taken in phases in the larger public interest, by paying compensation to the owners and shopkeepers. Their rehabilitation shall also have to be ensured.
- ii) Barog being a tourist place, tourist trek has been proposed from Barog to Barog railway station.
- iii) A road from N.H-5 (near Hyundai) to Barog railway station has been proposed
- iv) Four laning of National Highway-5.

15.2.7.2 Parking

To cope up with the parking pressure, it is proposed to develop an organised taxi stand-cum-parking lot at Kumarhatti and Dharampur bazars

15.2.7.4 Other Traffic Proposals

- (i) Planned bus stops are proposed at Barog, Kumarhatti and Dharampur.
- (ii) No truck or matador shall be allowed to be parked in the bazar area between 9.00 A.M. to 8.00 P.M. throughout the year. For loading and un-loading, specific spots shall be earmarked.
- (iii) Traffic Operation Plan (TOP's) shall be prepared in respect of Kumarhatti and Dharampur bazaar.

Table-7. Table-9. Proposed Landuse Structure-2031

Sr. No.	Landuse	Area (in Hectares)	%age of total area
1.	Residential	129	51.20
2.	Commercial - Shops - Hotels or Restaurants	8 3 5	3.17 1.19 1.98
3.	Industrial	1	0.40
4.	Public and Semi-Public Use including facilities	5	1.98
5.	Organized parks and open spaces	5	1.98
6.	Steep Slopes	6	2.38
7.	Traffic & Transportation (roads, railway line, terminals and parking)	98	38.89
	Total	252	100%
	Vacant land, steep slopes and nallahs.	97	
	Forest	225	
	Total	574	

CHAPTER-16

PHASING, COSTING AND IMPLEMENTATION

16.1 PERSPECTIVE

16.1.1 The Development Plan is a document of public, community, Panchayati Raj Institutions and the Government Departments. It is a document meant for present and future generations. The Plan envisages for planned and sustainable development of Barog Special Area.

16.1.2 Implementation of the plan has inevitably to be done through joint efforts of the public-private partnership, Development Authority, Gram Panchayats, Revenue Department, Infrastructural Departments and Town and Country Planning Department.

16.1.3 An additional urbanisable area of 93 hectares has been proposed to be developed by the year 2031. Phasing, costing and implementation of Development Plan have been contemplated keeping in view development priorities, to meet the needs of growing population, socio-economic dynamics likely to persist after every five years, on one hand and in consonance with the national policy of preparation of rolling plans, on the other. So far as the question of mobilizing or managing funds for development of external infrastructure is concerned, the financial resources for implementation of basic infrastructure proposals related to bulk services including water supply, sewerage, drainage, electricity and communication are allocated by the Government under major capital outlays of various development and infrastructure Departments. It is just a matter of utilizing the same in accordance with proposals of the Development Plan. However, resource generation for providing internal infrastructure has to be ensured by various stakeholders under the Land Pooling and Reconstitution mechanism. Various executing agencies may further augment resources, required for their purposes, by mobilizing funds internal as well as external institutional finance.

16.2 PHASING

16.2.1 Development Plan is a mandatory document to guide the future development. Implementation of Development Plan is divided into three phases, coinciding with five year plans namely:

- (i) 2016-2021
- (ii) 2021-2026
- (iii) 2026-2031

16.2.2 First Phase-2016 to 2021

The following proposals are proposed to be implemented in the first phase:

1. To develop parking lots
2. Improvement of junctions
3. Land Pooling and Reconstitution Schemes.

16.2.3 In view of implementation of proposals in each phase, priorities of subsequent phases shall be worked out, resources generated and accordingly implementation shall be ensured.

16.3. COSTING

16.3.1 The plan envisages for residential development by the land owners through Land Pooling and Reconstitution mechanism. These Schemes are to be implemented by the Development Authority, by organizing land owners with the help of Revenue Authorities, Local Bodies, Panchayats and Infrastructural Departments. The Development Authority will be responsible for preparation of such schemes. The funds are to be raised from potential buyers of developed plots who are going to be allotted the same. About 40 percent surrendered land for amenities, roads, parks, open spaces and other public purposes will ultimately be vested with the Development Authority. The Authority will earn in terms of charges to be levied on services infrastructure likely to be provided to the inhabitants. So far as arterial roads and major proposals including bus stops, parking lots and infrastructural networks are concerned, the land has to be arranged, acquired and the same developed by the Development Authority and respective agencies through public-private partnerships on Build-Operate-Transfer basis. Therefore, entire funding is to be done through the in-built mechanism, as envisaged in the Development Plan.

16.3.2 The cost of residential development including road network, sewerage, drainage, electricity, parks, open spaces, parking and other amenities is to be borne by the landowners, through the mechanism of Land Pooling and Reconstitution and thereby enhancement of land values. The benefits likely to accrue by way of the sale of plots would be manifold then to meet with the cost of development.

16.4 FINANCING AND RESOURCE GENERATION

16.4.1 Barog being a potential tourist and multi-functional Planning Area, financing of plan is required to be geared up by the Development Authority by raising resources from the betterment levies on development pursuits. Conversion of land use may be charged suitably in view of enhancement of land values.

16.4.2 The respective agencies and Government undertakings, by raising resources from the beneficiaries, will be responsible for development of utilities, facilities and services including water supply, sewerage, drainage, electrification and telephone. The parks shall be developed by the Development Authority by arranging land for the purpose.

16.4.3 The various resource generation measures in accordance with statutory provisions and regulatory mechanism are as under:-

- 1) Landuse conversion charges
- 2) Development charges and betterment levies
- 3) Layout, Sub-Division and Building Permit Fees
- 4) Building Regularization Fees
- 5) Building Use Regularization Fees
- 6) Vacant Land Tax.
- 7) Non-Conforming use penalties.
- 8) Unauthorised change of building/landuse penalties.

16.4.5 Planning Area Development Fund shall be maintained by the Development Authority and the same revolved and utilized for infrastructural provisions, landscaping and beautification of the area. Economically weaker sections of the society shall not be charged for basic amenities.

16.5 IMPLEMENTATION

16.5.1 As the Development Plan is a document of people, community, Government Departments and Panchayati Raj Institutions, the same are therefore required to come forward for its implementation. Execution of the Development Plan has to be ensured by Land Pooling and Reconstitution Mechanism by coordinated efforts of the land owners, Development Authority, Revenue Department, Panchayats and Infrastructural Departments.

16.5.2 Overall control and monitoring of implementation of proposals of development in terms of land use zoning and regulatory mechanism shall be vested with the Special Area Development Authority.

CHAPTER-17

PLANNING AND DEVELOPMENT REGULATIONS

17.1. PROCEDURE AND REQUIREMENTS

17.1.1. Application for permission

17.1.1.1. The application for development of land to be undertaken on behalf of the Union or State Government under section 28 of the Himachal Pradesh Town & Country Planning Act, 1977 and section 29 by a local authority or any authority specially constituted under the provisions of the Act ibid shall be accompanied by such documents as prescribed under rule 11 of the H.P. Town and Country Planning Rules, 1978 including design by a registered Architect/ Planner/ Engineer/ Draughtsman as per their entitlement and structural design by a Structural Engineer/ Architect as per their entitlement.

17.1.1.2. The application for development of land to be undertaken under section 30 of the Act by any person not being the Union or State Government, local authority or any authority specially constituted under the Himachal Pradesh Town and Country Planning Act, 1977 shall be on such forms along with the specifications sheet and schedule attached with these forms and containing such documents and such fees as prescribed under rule 12 of Himachal Pradesh Town and Country Planning Rules, 1978.

17.1.1.3. Apart from above the applicant shall submit the following additional documents namely:—

- (i) Location plan in the scale 1:1000 indicating the land in question, main approach roads, important physical features of the localities/area, important public buildings like school, hospital, cinema, petrol pump etc. and surrounding ownership.

- (ii) Site plan in the scale of 1:200 indicating the proposed site, approach road, contours, relief features, H.T./L.T. line, adjoining buildings, the existing sewerage and drainage showing the built up and open area clearly. Site plan must tally with the shape and dimensions of plot shown in the tatima. Otherwise suitable revenue documents supporting/verifying the change in shape and area to be enclosed. Suitable site and size of rain water harvesting tank shall also be indicated in the site plan.
- (iii) Two sets of plans, elevations and sections in the scale of 1:100 or 1:50.
- (iv) The drawings referred at (i) to (iii) should be duly signed by the registered Architect or Planner or Engineer or Draftsman as per their entitlement along with his or her address and registration number.
- (v) One copy of the receipt vide which requisite fee has been deposited.
- (vi) Latest original khasra map (tatima) showing khasra number/numbers of land in question, adjoining khasra numbers on all sides of plot and approach path with its width.
- (vii) Latest jamabandi showing clear ownership.
- (viii) In the site plan the distance of low and high tension electricity lines from proposed land or plot or building shall be shown. In case electricity lines are passing over or nearby the proposed site for development, horizontal and vertical distance shall be shown.
- (ix) In case no public road or path exists at site, the owner shall have to make proper provision for path or road abutting with proposed plot or building by surrendering such land as may be directed by the competent authority. A certificate from the Urban Local Body or Panchayati Raj Institution or the Town and Country Development authority or Local Authority or any other authority as the case may be, shall be submitted by the applicant in support of taking over the land surrendered for development of road or path and designating it as public street as per provisions of the respective Acts.
- (x) For the plots abutting National Highways, State Highways, Bye Passes and other scheduled roads of Himachal Pradesh Public Works Department, (HPPWD) the No Objection Certificate (NOC) of H.P. PWD shall be submitted on the format as appended below :—

NO OBJECTION CERTIFICATE

The Himachal Pradesh Public Works Department has no objection on carrying out any development on land or construction of building bearing khasra no. _____ of revenue village or mohal _____ abutting with National Highway or State Highway or Scheduled Road namely _____ by the owner Sh. or Smt. _____ resident of _____ with respect to the provisions of Himachal Pradesh Road Side Land Control Act, 1969 in this behalf as shown in the site plan.

(Seal)

Competent Authority

*(Not to be issued below the rank of Executive Engineer)

(xii) For plots/buildings whereby electricity lines (LT/HT) are passing over or nearby, the No Objection Certificate (NOC) of Himachal Pradesh State Electricity Board (HPSEB) shall be submitted on the format as appended below:—

NO OBJECTION CERTIFICATE

The Himachal Pradesh State Electricity Board has no objection on carrying out any development or construction of building on land bearing khasra no. _____ of revenue village or Mohal _____ under the _____ line by the owner Sh. or Smt. _____ resident of _____ with respect to the provisions of Indian Electricity Rules, 1956 in this behalf as shown in the site plan.

(Seal)

Competent Authority

*(Not to be issued below the rank of Executive Engineer)

(xiii) The applicant shall have to submit any other certificate or documents or plan e.g. No Objection Certificate (NOC) from the H.P. State Pollution Control Board, water and electricity availability certificate from the concerned Departments as may be required by the competent authority.

(xiv) Demarcation report from Revenue authority shall have to be submitted by the applicant where the plot/land is not well defined or demarcated.

(xv) Photographs, of at least 10cmx15cm size taken from different angles, of the site showing profile of land, vegetation and trees shall have to be submitted.

(xvi) For major proposals having a bearing on the community, a detailed project report justifying the proposals other than the pre-requisites of main use shall have to be submitted and got approved from the competent authority.

No access shall be permissible from the major roads without prior approval of the competent authority.

(xvii) Whereas the structural design of the building shall be the responsibility of the owner as well as the Structural Engineer, the structural stability certificate on its completion shall have to be submitted by the applicant.

17.1.2. MONITORING OF CONSTRUCTION

17.1.2.1. The applicant shall intimate in writing to the concerned competent authority that the work of execution of building has reached the plinth level. The competent authority shall inspect the executed work within 15 days and shall permit the applicant to proceed with further construction, only if the same is found to be in order.

17.1.2.2. In case the competent authority does not inspect the site within the prescribed period, the applicant shall certify that he has carried out the construction work up to plinth level in accordance with permission granted and consequent upon not conducting the inspection within stipulated period, the applicant is undertaking the further construction in accordance with the same.

17.1.2.3. If the competent authority on inspection at any stage observes that the work has not been carried out in accordance with the approved plan a notice in respect of unauthorized construction or deviation shall be served upon for restoration of the same to its original condition as prescribed in the sanctioned map or any other action as specified in rules and regulations made there under.

17.1.2.4. The concerned competent authority, if required, may direct the applicant to revise the building plan as per the requirements of rules and regulations and if it is found to be in order, the revised map shall be approved.

17.1.2.5. After completion of the building, the applicant shall submit a completion plan along with a certificate to the concerned competent authority certifying that the construction has been completed as per the approved map.

17.1.2.6 Building shall not be put to use prior to issuance of completion certificate by the competent authority.

17.1.2.7 Any subsequent deviations made in the building constructed after getting the plan approved and after grant of No Objection Certificate (NOC) issued by the Department shall entail the entire building unauthorized and NOC so issued shall be withdrawn and the services shall be disconnected.

17.1.3. TERMS FOR SERVICE CONNECTIONS

17.1.3.1 The procedure for issuance of No Objection Certificate (N.O.C.) for water supply and electricity connections shall be as under:—

(a) Temporary	=	At plinth level.
(b) Permanent	=	Upon completion of dwelling unit or floor or whole building.

The applicant shall submit photographs of the structure from 2 or 3 angles .

17.1.3.2. Any No Objection Certificate (N.O.C.) issued by the competent authority for service connection shall be liable for withdrawal on violation of provisions of the Development Plan as specified or on account of contravention of the permission accorded under the provisions of the Act ibid.

17.1.3.3. Provided that before applying for N.O.C. for permanent water connection the applicant shall have raised construction as per approved map, constructed drain, path, septic tank, soak pit, sloping roof, rain harvesting tank etc. The plot must have defined boundaries as per demarcation obtained from Revenue Department. Photographs shall also be submitted by the applicant showing structure having been raised or completed by him/her.

17.1.3.4. Any no objection certificate (NOC) issued by the competent authority shall be liable for withdrawal on breach of terms and conditions imposed at the time of issuance of such NOC and undertaking to this effect shall be rendered by the applicant

17.1.4. REGULATIONS FOR LAND POOLING AND RE-CONSTITUTION OF PLOTS

17.1.4.1. On commencement this Development Plan, no person shall be allowed to carve out plots of zig-zag 'Khasra' Numbers in his ownership and the same have to be organized

alongwith other such adjoining chunks of land to ensure proper dimensioned plots to the purchasers, on one hand and in the interest of urban design, safety, economy, functionality, aesthetics and optimum use of land, on the other.

17.1.4.2. Maximum upto 60 % plotted area shall be made available to the land owners, proportionate to their land ownerships, in accordance with prescribed Regulatory provisions of this Development Plan. The remaining 40 % area shall have to be surrendered and the same be utilized for circulation, infrastructural networks, parking, parks, open spaces, playgrounds and recreational pursuits.

17.1.4.3. In case of any person whose plot comes within the roads or community amenities, he shall be suitably compensated by the parties who are going to be benefited in lieu of his land in such scheme.

17.1.5. SUB-DIVISION OF LAND REGULATIONS

17.1.5.1 The sub-division of land into plots amounts to “development” under the Himachal Pradesh Town and Country Planning Act, 1977. No person shall sub-divide his land unless permitted to do so in accordance with rules and regulations in force.

17.1.5.2 Similarly no Registrar or the Sub-Registrar shall register any sale deed or documents of any sub-division of land on share basis unless the sub-division of land is duly approved by the competent authority in accordance with provisions of section 16-c of the Himachal Pradesh Town and Country Planning Act, 1977 and sub- division of land regulations as contained in this Development Plan.

17.1.5.3 The sub-division of land shall be permitted in accordance with natural profile of topography as shown on a contour map, drainage of the land, accessibility, road alignment, wind direction, local environmental imperatives and in accordance with the prescribed land use of the Development Plan. Natural flora and fauna shall have to be preserved.

17.1.5.4 Natural nallahs which pass through land involving sub-division shall be developed and maintained according to the discharge of water during the peak rainy season. The construction shall be allowed at a distance of 3.00 mtrs. and 5.00mtrs. from the edge of Nallah and Khud respectively.

17.1.5.5 Sub-division of land shall not be permitted in an area where basic services like developed roads, drainage, water-supply, sewage disposal, electric supply line, street lighting etc do not exist. The developer shall apply to develop the requisite services and infrastructure and letter of intent for the same may be given to him/her/them. Final permission for sub-division of land shall be given as and when services have been developed at site. Roads and services are to be provided in a particular sub-division of land in consonance with the adjoining infrastructure/ proposals of this Development Plan. No sub-division shall be allowed with direct access from the National Highway or any other major road without NOC of the HPPWD.

17.1.5.6 The plots shall be permitted at right angle to the road with proper shape and dimensions in accordance with natural profile of land and slope, so that optimum use of the land is ensured. Contour planning must be followed for minimizing the cutting of hills and for getting maximum sun.

17.1.5.7 The minimum width of road for sub-division of land shall be 5.00 m if number of plots is above 5 (with cul-de-sac) at the end. Minimum width of pedestrian links to smaller cluster of plots , not exceeding 5 in number shall be 3.00 m .

17.1.5.8 In case of plots or land abutting the existing or proposed roads or paths, width of the same shall have to be increased to meet with requirements of width for requisite plots.

17.1.5.9 After demarcation of plot, boundary shall be fixed by the applicant by way of raising boundary wall or fencing.

17.1.5.10 Average slope/gradient for regional roads shall have to be 1:15. However, local roads in town may be allowed with slope/gradient up to 1:10 and additional width of carriage way shall be provided on curves for ensuring smooth flow of vehicular traffic, which shall not obstruct view or vista.

17.1.5.11 Minimum width of plot for row, semi-detached and detached type houses shall be 5.00 m, 8.00 m and 10.00 m respectively. Ratio of depth to width of the plot shall normally range between 1½ and 3.

17.1.5.12 Minimum area for a detached plot shall not be less than 150 m². However the minimum size of plot in a planned layout can be 90m². Smaller plots may be considered in the case of allotments made by State Government under Gandhi Kutir Yojna, Indira Awas Yojna, Rajiv Awas Yojna or any other scheme launched by the Union or State Governments for the benefit and upliftment of economically weaker sections of the society and IRDP families. However, minimum front and rear setbacks of 2.00 m and 1.00 m respectively shall be compulsory in these cases too. Where State Government is allotting land to the landless persons, it may be ensured that plots are created after the mandatory regulations for front set back on any road so that least difficulty is faced by the allottees later on.

17.1.5.13 In exceptional circumstances, for the benefit of economic weaker sections and where the site conditions permit to do so, the Chairman of the authority may fix 60 Sqm, the minimum area of plots with two common walls.

17.1.5.14 Semi-detached house construction shall be allowed on plots having area up to 150 m² and row housing on plots with area between 90 m² to 120 m² subject to the condition that the maximum number of such plots shall not exceed 10 in a row after which a gap of 7.00 m shall be left.

17.1.5.15 If the number of proposed plots exceeds 5, provision of parks and tot lots shall be made in the centre of the scheme area. Such parks cannot be built upon or sold in any manner in future. The area to be proposed under parks shall not be less 10 % of the total scheme area. Right of use/ownership of this land shall be transferred / surrendered to the Panchayati Raj Institutions or Urban Local Bodies or Town and Country Development Authority or a local authority or any other authority as the case may be which shall be responsible for maintenance of surrendered paths, parks etc. The owner shall not claim any compensation in lieu of this land.

17.1.5.16 If the number of proposed plots exceeds 40, provision shall have to be made for educational, health, religious and other community facilities as per the size of the scheme

17.1.5.17 Minimum area of a plot for residential development in Group Housing Scheme shall be 2500 m² in accordance with the provisions of this Act.

17.1.5.18 While carving out plots, the orientation of the plots shall be made in such a manner, so as to be in conformity with the existing plots/infrastructure, wind direction, availability of Sun and natural flow of surface drainage to allow unobstructed rain water discharge.

17.1.5.19 Minimum area for septic tank and soak pit etc. irrespective of number of plots shall be 5% of the scheme area.

17.1.5.20 Provision for rain water harvesting for surface run off other than that of structures shall have to be ensured to ease the water supply problem.

17.1.5.21 Provision for decomposition of biodegradable waste shall have to be made in accordance with requirements of particular sub-division of land.

17.1.5.22 Where it is essential to develop a plot by cutting of natural land profile, it shall be the responsibility of the plot owner to provide retaining and breast walls, according to the engineering specifications, so that such cutting of natural profile does not exceed more than 3.50 meter height in any case with provision of diaphragm wall for step housing.

17.1.5.23 Development proposal for part of land or khasra number shall not be considered and proposal shall be submitted for complete land holding. Adequate provision of paths, open spaces as per regulations shall be made. Provision of path or road shall be shown for remaining land as well.

17.1.5.24 No Government land shall be transferred by the District Collector or registered by the Registrar or Sub- Registrar to any person in Barog Special Area without No Objection Certificate of the competent authority.

17.1.6. BUILDING REGULATIONS

The following building regulations shall apply to all development activities to be carried out in Barog Special Area.

17.1.6.1 No building or other structure shall be erected, re-erected or materially altered without the permission of the competent authority in writing.

17.1.6.2 No yard or plot existing at the time of coming into force of these regulations shall be reduced in dimension or area below the minimum requirements set forth herein. The yards or plots created after the effective date of these regulations shall meet with the minimum requirements established by these regulations.

(a) Provided further that all the plots registered prior to the enforcement of section 15-A or 16 of the Himachal Pradesh Town and Country Planning Act, 1977 to Barog Special Area shall be treated as plots irrespective of their size subject to the condition that minimum 3.00 metre wide path abutting one side of the plot should be made available individually or on share basis. In case 3.00 metre wide path is not available at site then the owner shall surrender the remaining area from his plot to make the path as 3.00 meter wide.

17.1.6.3 Construction on sandwich plots shall be permissible as per existing building lines, only in existing built up areas.

17.1.6.4 The height limitations of these regulations shall not apply to the religious places e.g. temples, mosques, gurudwaras and churches etc. Moreover chimneys, elevators, poles, tanks and other projections not used for human occupancy may extend above the prescribed height limits. The cornices and window sills may also project into any required setbacks owned by the applicant up to 0.45 meter.

17.1.6.5 After coming into force of this Development Plan, the Land Use and Development of land shall conform to the provisions of this Development Plan subject to the provisions as contained under section 26 of the Himachal Pradesh Town and Country Planning Act, 1977.

17.1.6.6 Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.

17.1.6.7 No wall, fence and hedge along any yard or plot shall exceed 1.50 meter in height.

17.1.6.8 On a corner plot bounded by a vehicular road in any land use zone or area, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision to avoid accidents and smooth running of vehicular traffic.

17.1.6.9 No planning permission for development shall be granted unless the road or path on which land or plot abuts is properly demarcated and developed at site.

17.1.6.10 Drainage shall be regulated strictly according to natural profile of land with a view to prevent landslides, soil erosion and to maintain sanitation and public health.

17.1.6.11 No building shall be erected on slope of natural land profile forming an angle of more than 45°.

17.1.6.12 In case of plot or land abutting road or path, width of the same shall be increased to meet requirements of the Development Plan by getting additional strip of land surrendered by the land owner(s) on either side of the road or path equitably or in accordance with topography of land and feasibility. Right of ownership of use of such land which is earmarked for path or road shall be surrendered or transferred to the Urban Local Body or Panchayati Raj Institution or Town and Country Development Authority or local authority or any other authority as the case may be, by the applicant(s) without any compensation for maintenance purpose. The registering authority shall have binding with this provision to effect all registrations as per layouts approved by the competent authority in the name of Government or above referred bodies or authorities.

17.1.6.13 Constructions conforming to the traditional hill architecture with conical roof laid with slates or corrugated galvanized iron (C.G.I.) sheets painted in maroon or green colour, facade rendered preferably in local material like stone, slates and wood etc. shall only be permitted.

17.1.6.14 Roof slab or chhajja projection over door/window openings shall be limited upto 0.60 metre over set backs on all sides.

17.1.6.15 Maximum height of plinth level shall be 3.50 metre which shall be closed on all exposed sides with brick or stone masonry.

17.1.6.16 Setbacks shall not be applicable to road side infrastructure or facilities such as rain shelters, landscaping etc. which are specifically permitted by the HP Public Works Department on the acquired width of a road with temporary structures.

17.1.6.17 In case of petrol filling station the layout plan or norms of the Indian Oil Corporation (IOC) shall be adopted. If the rear and side set backs are not mentioned in the layout plan of (IOC) then the minimum sides and rear setbacks shall be 3.00 meter. However on National Highways the front set back of 3.00 meter from the controlled width of road as per requirement of H.P. Road Side Land Control Act shall be left.

17.1.6.18 No construction shall be permitted on a piece of land left with buildable width of less than 5.00 meter after maintaining setbacks with reference to the size or area of the plot.

17.1.6.19 Not more than two dwelling units per floor shall be permissible in residential building constructed on plot having an area up to 250 m². For plot measuring more than 250 m² area, one additional dwelling unit for every additional 100 m² of plot area shall be permissible in each floor. If number of dwelling units exceeds eight, registration as a promoter under the Act ibid shall be mandatory.

17.1.6.20 Regulations for different parts of a building shall be as under:—

Habitable room	Minimum floor area Minimum width	9.50 M2 2.40 M
Kitchen	Minimum floor area Minimum width	4.50 M2 1.80 M
Bath room	Minimum floor area Minimum width	1.80 M2 1.20 M
Water Closet (WC)	Minimum floor area Minimum width	1.10 M2 0.90 M
Toilet (WC+ Bath)	Minimum floor area Minimum width	2.30 M2 1.20 M
Minimum width of corridor	For Residential use For Other uses	1.00 M 1.20 M
Minimum width of stairs	For Residential use For Other uses	1.00 M 1.50 M
Maximum width of treads without nosing	For Residential use For Other uses	25 centimeter wide for internal stairs 30 centimeter wide for internal stairs case
Maximum height of riser	For Residential use For Other uses	19 centimeter 15 centimeter
Provision of spiral stair case	For Other uses expect Residential use	Provision of spiral stair case not less than 1.50 M dia with adequate head height for fire escape in addition to regular stair case
Openings	For sufficient air and light, windows and ventilators should have minimum area equivalent to 1/6 th of Floor area.	

Projections over doors, windows and ventilators.	0.60 M	-
Balcony Projections	1.20 M wide Balcony complete open on two sides with restriction of 50 % of Building frontage where minimum front Set-Back is 3.00 M shall be permissible .Balcony of 1.00 M width shall be allowed over set back of 2.00 M.	

17.1.6.21 One parking floor shall be mandatory wherever feasible. Maximum height of parking floor shall be 3.00 M including depth of beam below the ceiling of the slab and 4.00 mtrs. for other uses and it shall be over and above the permissible Floor Area Ratio limit. However, the fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The shear walls shall be constructed on all the three sides of parking floor so that it is not a soft storey.

17.1.6.22 In case, space as per requirement for parking is available in open, over and above the set backs, condition of parking floor shall not be insisted. The closed floors in a building at any level, if proposed and feasible for parking, shall be allowed over and above the permissible Floor Area Ratio (FAR), irrespective of height restriction, subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. In case any person intends to construct parking floor, if feasible for parking, in addition to the number of storeys approved, will be allowed over and above the permissible Floor Area Ratio (FAR) subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The said parking floors shall be used exclusively for parking only.

17.1.6.23 Multilevel parking floors shall be allowed wherever feasible. The Regulations of respective building use shall be applicable for where multilevel parking floors are proposed. Though, one parking floor is mandatory yet, second parking floor can be constructed which will be optional and the same shall be counted in F.A.R.

17.1.6.24 Minimum and maximum height of floor shall be 2.70 m and 3.50 m respectively for all land uses except for industrial use. No mezzanine floor shall be permitted.

17.1.6.25 Sloping roof shall be mandatory in hill areas. The CGI sheets on roof top and MS sheet 0.24 M wide Facia shall be painted in post office red or grey green colour or any other colour confirming to the natural roofing material. Height of sloping roof zero at eaves and maximum 2.70 M at centre shall be permissible. The continuous Dormer on any side of sloping roof shall not be allowed. Maximum 2 Dormers on the either side of sloping roof at a reasonable distance between eves and ridge shall be allowed. The 1/3rd area of the top floor shall be allowed as open terrace wherever sloping roof is provided.

17.1.6.26 No construction shall be allowed within 5.00 meter distance from the existing forest or green belt boundary and within a radius of 2.00 meter from an existing tree. The distance and radius shall be measured from the circumference of the tree. For construction on the plots having tree (s), NOC from the Forest Department shall be obtained by the applicant and a copy of the same shall be submitted to the competent authority.

17.1.6.27 For the plots or buildings, where electricity lines are passing over or nearby the land, distance from electricity lines shall be kept as provided in the Indian Electricity Rules from time to time as under:-

Sr. No.	Voltage	Vertical Clearance	Horizontal Clearance
1.	Low and medium voltage and service line.	2.439 m (8')	1.219 m (4')
2.	High voltage lines (a) up to and including 11,000 volts. (b) Above 11,000 volts to 33,000 volts.	3.658 m (12') 3.658 m (12')	1.219 m (4') 1.829 m (6')
3.	For extra high voltage lines (For every additional 33,000 volts or part thereof)	3.658 m (12') 0.305 m (1')	1.829 m (6') 0.305 m (1')

17.1.6.28 Regulations regarding re-construction of houses/ buildings in the existence shall be on predominantly existing building lines, provided minimum width of road as per Rules and Regulations is available and roof projections, sun shades upto 0.60 M shall be permitted over streets or paths, as the case may be. At least 2 or 3 photographs shall be submitted with existing building drawings to establish the existing building line. However the building in question shall not be dismantled till photographs as well as drawings of existing built up structure have been submitted and site inspection got done.

17.1.6.29 Minimum permissible distance between two blocks constructed on a plot shall be 5.00 mtrs.

17.1.6.30 Underground rain water harvesting tank shall be constructed in the plot with minimum capacity @ 20 litres per m² of the roof top area.

17.1.6.31 No building shall be constructed or raised above the vision line i.e 1.50 mtrs. From road level on the valley side in case of the entire stretch of National Highway - 5 falling within Barog Special Area so that valley view is fully preserved and protected.

17.1.6.32 Change of existing land use for Residential, Commercial, Public and semi-public and Industrial uses, shall be on existing pattern of development and site conditions subject to the conditions that where basic services like paved roads, drainage, water supply, sewerage disposal, electrical supply line, street lighting etc. do not exist, change of land use or development of land shall not be permitted unless the applicant undertakes that these services shall be provided at his own cost.

17.1.6.33 In the public interest and in the interest of town design or any other material consideration the Director, Town and Country Planning Department may relax minimum size/area of plot, plot coverage, set backs, floor area ratio (F.A.R.), change of landuse etc. The decision of Director shall be final.

17.1.6.34 No building or structure shall be raised or constructed within specified distance from the National Highway plus local offset i.e 3.00 mtrs. This will further subject to the requirements of National Highway Authority of India (NHAI). For development along this highway, the applicant shall invariably have to submit NOC from the competent authority along with a site plan showing acquired and controlled width of the road.

17.1.6.35 On following roads no building or structure shall be raised or constructed within specified distance from the H.P.P.W.D plus local offset i.e 2.00 mtrs

- (i) **Kumarhatti-Barog -Solan road.**
- (ii) **Dharampur- Subathu road.**

17.1.6.36 In case if there is any ambiguity/ conflict/ misunderstanding URDPFI and National Building Code (NBC) shall be referred.

17.1.7. (A) URBANISABLE AREA BOUNDARY

Barring forest areas, steep lands, water bodies, nallahs and roads entire Barog Special Area shall be an Urbanisable Area.

17.1.8 ZONING REGULATIONS

Mixed land use shall be allowed in the entire Barog Special area. The mixed land use shall include only such activities as are incidental, conforming and compatible with one another. No obnoxious, environmentally hazardous or non-conforming functions shall be allowed. Following sets of activities shall not be permissible:—

- (a) A school or a college in the vicinity of a bus-stand or right on a busy road.
- (b) A petrol pump in a predominantly residential locality.
- (c) A slaughter house or a crematorium nearby a residential area.
- (d) An activity likely to cause air, noise, dust, water or surface pollution right in a residential area and so on.

17.1.8.1 Only need-based activities shall be allowed in the entire Barog Special Area provided these are eco-friendly and do not involve any cutting of trees, vegetation and hill slopes beyond the permissible limits.

17.1.8.2 Apartments, tourist resorts, industries and major commercial/ institutional projects shall not be permitted unless the builder/ developer/ applicant guarantees an independent source of water supply to the satisfaction of the competent authority.

17.1.9 VILLAGE ABADIS OR ABADI DEHS

Areas coming under existing abadis or abadi dehs shall have separate regulations for them:—

- (a) Construction of a residential house, shops, nursery, primary and middle schools, buildings of public utility and service industry shall be permissible. No obnoxious activity as may pose any danger to the living environment would be permissible in such an area.
- (b) No building shall exceed three storeys in any case.

A simple application shall have to be submitted to the competent authority before undertaking any construction. The application shall contain the following description:—

- (i) Name of applicant.
- (ii) Activity/construction proposed.

- (iii) Description of land i.e. Mohal/Name of revenue village.
- (iv) A location/site plan (not to scale).
- (v) Line plan of proposed construction.
- (vi) Recommendation from the Pradhan of village panchayat.

17.1.10 RESIDENTIAL USE

17.1.10.1 Minimum size and requirement of plots

The construction of buildings for residential use shall not be permitted on any plot, which has an area of less than 90 m² in row housing, 120 m² in semi detached and 150 m² in detached category of houses. Plots registered before **August, 2000** in Barog Special Area shall, however, be considered. Relaxation shall be granted in case of Government housing schemes for houseless namely Gandhi Kutir Yojna, Indira Awas Yojna, Rajiv Awas Yojna, and Economically Weaker Sections etc.

17.1.10.2. The maximum covered area and setbacks shall be governed by the following table:—

Sr. No.	Plot Area in (m ²)	Type of construction	Maximum coverage	Minimum Set Back (in m)		
				Front	Sides	Rear
1.	90 to 120	Row	75%	2.0	-	2.0
2.	121 to 250	Semi-detached	75%	2.0	2.0	2.0
3.	151 to 250	Detached	60%	2.0	2.0	2.0
4.	251 to 350	Detached	55%	2.0	2.0	2.0
5.	351 to 500	Detached	50%	3.0	2.5	2.5
6.	Above 500	Detached	45%	4.0	3.0	3.00

Note.—

- (a) The maximum height of building in no case shall exceed 21.00 mtrs. The maximum F.A.R. permissible shall be 1.75. An attic or basement shall be treated as an additional storey.
- (b) For plot having side set-back of 3.00 m or more, construction of a Garage up to 5.00 m depth in ground floor shall be permitted touching rear boundary of the plot, provided that total coverage remains within the maximum permissible limit and no opening is left on the sides of the adjoining plots.
- (c) No projection and opening shall be provided on the sides of common wall in case of row and semi-detached houses. However, the owners of plots of either side shall have an option to construct a common wall.
- (d) In case if there is any ambiguity/ conflict/ misunderstanding URDPFI and National Building Code (NBC) shall be referred.

17.1.11 COMMERCIAL USE

1. For commercial-cum-residential use up to 500 m² plot area the setbacks, coverage etc. shall be the same as for residential use.

2. For purely new commercial schemes/proposals:—

- (a) For independent shops (standalone) having plot area 10-30 (Sqm.) the front set-back shall be 2.00m, side set-backs- nil and rear set back shall be .00m. Total permissible height of building shall be 6.00 mtrs.
- (b) Access to the new commercial schemes/proposals shall not be less than 5.00 m.
- (c) A minimum front set back of 3.00 m shall be compulsory for plots having area up to 250 m², 4.00 m for plots with area between 250 m² to 500 m² and 5.00 m for plots with area more than 500 m².
- (d) Coverage shall not exceed 50% of the plot area.
- (e) Sufficient and separate entries as well as exits shall be provided in the commercial buildings for emergencies like fire etc.
- (f) Side and rear set backs of 2.00 m shall be compulsory.
- (g) Arcade of 2.00 m width for shops shall have to be provided.
- (h) The maximum height of building in no case shall exceed 21.00 mtrs. An attic or basement shall be treated as a storey.
- (i) The maximum permissible F.A.R. shall be 1.75.

3. Shopping complex

Sr. No.	Plot Area (Sqm.)	Minimum Set Backs			F.A.R	Height of building
		Front	Sides	Rear		
1.	500 -1500	5.00	3.00	3.00	1.75	21.00
2.	1500-4000	10.00	5.00	5.00	1.75	21.00
3.	Above 4000	12.00	7.50	6.00	1.50	21.00

Note: Parking:- (i). 500 to 1500 = 1.50 ECS per 100 Sqm. built up area.

(ii) 1500-4000 = 2 ECS per 100 Sqm. built up area.

(iii) Above 4000= 3 ECS per 100 Sqm. built up area.

4. Cinema/ Cineplex

Sr. No.	Plot Area	Minimum Set Backs			F.A.R	Height of building
		Front	Sides	Rear		
2.	4000 and above	15.0	7.50	6.00	1.50	21.00

Note: Parking:- (i). 3ECS per 100 Sqm. built up area.

(ii) Other regulations as per Cinematography Act shall also apply.

5. Multiplexes

Sr. No.	Plot Area	Minimum Set Backs			F.A.R	Height of building
		Front	Side	Rear		
2.	4000 and above	15.00	9.00	9.00	1.5	21.00

(i) Note: Parking:- Parking permissible with the complex

- (i) Parking space to be provided with in multiplex @
- (ii) 3ECS for every 100 Sqm. of built up area.
- (iii) Other regulations as per Cinematography Act shall also apply.

(iv) Multiplex complex shall mean an integrated entertainment and shopping centre/ complex having at 2 cinema halls/ PVRs. The minimum area on which this use shall be permitted should not be less than 4000 Sqm. Apart from cinema halls, the multiplexes shall also have a restaurant. Fast food, outlet, pubs health spas/ centers, hotels and other re-creational activities. The Shopping center may have retail outlet, video games, parlors, bowling alleys, health centers, shopping malls and office space .

Note:— 1 ECS shall mean as under:—

(i) For Parking in Open	= 23 Sqm.
(ii) For Parking in stilts and ground floor	= 28 Sqm.
(iii) For parking in basement floor	= 32 Sqm.

6. Multi level Parking

Sr. No.	Plot Area	Minimum Set Backs			F.A.R	Height of building
		Front	Sides	Rear		
1.	500-1500	5.00	3.00	3.00	1.75	21.00
2.	1501-4000	10.00	5.00	5.00	1.75	21.00
3.	Above 4000	12.00	7.50	6.00	1.50	21.00

7. Tourism unit

For Hotels and Guest houses the regulations shall be as under:-

Sr. No.	Use	Plot Area in m ²	Maximum Coverage	Minimum Set Backs in m		
				Front	Sides	Rear
1.	Hotels	500 to 1000	40%	4.0	3.0	3.0
2.		1001 to 2000	35%	5.0	3.0	3.0
3.		2001 to 5000	30%	7.0	4.0	4.0
4.		Above 5000	25%	10.0	5.0	5.0
5.	Guest house	250-500	50%	3.0	2.0	2.0

Parking:—	(i) 250-500	= 1 ECS per 100 Sqm. built up area.
	(ii) 501-1500	= 1.5 ECS per 100 Sqm. built up area.
	(iii) 1501-2500	= 2 ECS per 100 Sqm. built up area.
	(iv) Above 2500	= 3 ECS per 100 Sqm. built up area.

Note:—

- (a) No tourism project shall be permitted without the in-principle approval of the State Tourism Department.
- (b) The maximum height of building in no case shall exceed 21.00 mtrs. An attic or basement shall be treated as an additional storey.
- (c) The owners shall make guarantee for an independent arrangement of water supply for the same.
- (d) Hotels and Guest houses shall not be permitted in an intense residential development areas since the construction of the same is likely to vitiate the living environment of the same.
- (e) Conversion of existing residential buildings into Hotels or Guest houses shall be permitted only if these fulfill the regulations for the same.
- (f) Arrangement for under ground rain water harvesting tank shall be compulsory.
- (g) In case if there is any ambiguity/ conflict/ misunderstanding URDPFI and National Building Code (NBC) shall be referred.

17.1.12. FACILITIES, SERVICES, GOVERNMENT AND SEMI-GOVERNMENT OFFICES (i.e. Educational Building, Police/ Station, Medical, Community Hall, Library/Religious Building etc)

1. The setbacks and coverage etc. shall be as follows:—

Sr. No.	Plot Area (in m ²)	Maximum floor area ratio	Minimum setbacks in m		
			Front	Sides	Rear
1.	250-500	2.00	3.0	2.0	2.0
2.	501-1000	1.75	5.0	2.0	3.0
3.	1001-5000	1.50	10.0	5.0	5.0
4.	Above 5000	1.50	15.0	7.5	7.5

The setbacks and coverage etc. shall be as follows:—

Note:—

- (i) Adequate parking provision @ 2 ECS/ per 100 m² floor area in the building
- (ii) Landscaping shall be done on road side and other sides of the plot.
- (iii) The maximum height of building in no case shall exceed 21.00 mtrs. An attic or basement shall be treated as a storey
- (iv) In case if there is any ambiguity/ conflict/ misunderstanding URDPFI and National Building Code (NBC) shall be referred.

2. As per directions of Secretary to the Government of India Vide D.O. No. K-14011/26/2013 – UD-II Dated 24.9.2014 regarding Safety Management against Fire Hazards following rules/ guidelines shall have to be adopted :—

- Minimum 10000 sqm. area for Fire Station is required.
- Minimum 6000 sqm. area for Sub-fire Station/Fire Post is required.
- Minimum right of way of road 6.00 mts. shall be ensured
- Fire stations should be located so that the fire tenders are able to reach any disaster site within 3-5 minutes.
- Fire stations should be located on corner plots as far as possible and on main roads with minimum two entries
- In the new lay outs, concept of underground pipelines for fire hydrants on the periphery exclusively for fire fighting services should be considered.
- Necessary provisions for laying underground/ over ground fire fighting measures, water lines hydrants etc. may be kept wherever provision of the fire station is not possible.
- The agencies concerned are required to take approval from fire department for fire fighting measures while laying the services for and area.
- All Group Housing Societies, Hospitals, Commercial Complexes, Educational Institutions having building height more than 15.00 mtrs. should mandatorily obtain clearances from fire department and provisions has to be made for ensuring installation and proper working of fire extinguishers with periodic fire safety audit as required under respective building bye-laws.

17.1.13 REGULATIONS FOR INDUSTRIAL USE

For Industrial use/activities, following Regulations shall be applicable:-

1. Minimum area of plot:—

- (a) For small scale industry shall be 250 M2 to 500 M2.
- (b) For services/light scale industry shall be above 500 M2 to 1000 M2.
- (c) For medium scale industry shall be above 1000 M2 to 5000 M2.
- (d) For large and heavy scale industry shall be above 5000 M2.
- (e) The plot area as mentioned in clauses (a) to (d) above would not be applicable in the cases where the sub-division of land has taken effect before the commencement of the Himachal Pradesh Town and Country Planning Rules, 2014.
- (f) The plot area as mentioned under clauses (a) to (d) above would not be applicable for the individual plots, if any, created/allotted by the Himachal Pradesh Industries Department or the Himachal Pradesh State Industrial Development Corporation (HPSIDC) or the Himachal Pradesh Housing and Urban Development Authority (HIMUDA) or any Local Authority or any Authority constituted under the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) or any other Authority prior to coming into force of the Himachal Pradesh Town and Country Planning Rules, 2014.

(g) The layout and design of industrial area, if any, shall be as per requirement of the Industry and shall be got approved from the Director.

2. Height of floor/storey

The minimum floor/ storey height of industrial building shall be 3.00 M and sloping roof height shall be in accordance with volume of the structure. In case of roof trusses, height of building should be adjusted /relaxed accordingly.

3. Type of Industry, minimum Plot Area, minimum Set Backs, maximum Floor Area Ratio (FAR) and maximum height of building:-

The minimum plot area, minimum set backs, maximum Floor Area Ratio (FAR) and maximum height of building for different type of Industry shall be governed by the following Table:—

The minimum size/area of plots, set backs, FAR shall be as under :—

Sr. No.	Type of Industry	Plot Area (in m ²)	Minimum setbacks in m			F.A.R.	Max. height in mtrs.
			Front	Sides	Rear		
1.	Small Scale Industries	250-500	3.0	2.0	2.0	1.75	12.00
2.	Services/ Light scale Industries	501-1000	5.0	2.0	3.0	1.50	12.00
3.	Medium Scale Industries	1001-5000	10.0	5.0	5.0	1.25	15.00
4.	Large and Heavy Scale Industries	Above 5000	15.0	7.50	7.50	1.00	15.00

Note.— (i) Minimum width of path/road abutting one side of plot shall be 5.00 M.

- (ii) Maximum height of industrial shed shall be 15.00 metres or depending upon the nature of requirement of particular industry. In case of roof trusses, height of building should be adjusted/relaxed accordingly.
- (iii) Service area required for pharmaceutical units or such type of Industries under requirement of Goods Manufacturing Practice (G.M.P) shall not be included for calculation of FAR, provided it is only used for utilities and services but not in any case for production.
- (iv) For ancillary uses like security post/room shall be allowed in set back area i.e. one wall shared with the boundary wall and shall be counted in the FAR.

(v) In case if there is any ambiguity/ conflict/ misunderstanding URDPFI and National Building Code (NBC) shall be referred.

4. Construction of Cellar:-

(a) Construction of cellar shall not be counted as a storey and should be constructed within the prescribed set backs and prescribed building lines and subject to maximum coverage on floor i.e. entrance floor and may be put for following uses:—

- (i) storage of household or other goods of ordinarily combustible material;
- (ii) strong rooms, bank cellars etc;
- (iii) air conditioning equipment and other machines used for services and utilities of the building; and
- (iv) parking spaces.

(b) The cellar shall have following requirements:-

- (i) All the walls shall be kept dead and below the natural ground level except the portion kept for ventilation purpose.
- (ii) Every cellar shall be, in every part, at least 2.40 M in height from the floor to the underside of the roof slab or ceiling.
- (iii) Adequate ventilation shall be provided for the cellar and any deficiency in ventilation requirements may be met by providing mechanical ventilation in the form of blowers, exhaust fans and air conditioning system etc
- (iv) The minimum height of the ceiling of any cellar shall be 0.90 M and the maximum 1.20 M above the average surrounding ground level.
- (v) Adequate arrangements shall be made such that surface drainage does not enter the cellar.
- (vi) The walls and floors of the cellar shall be watertight and be so designed that the effects of the surrounding soil and moisture if any, are taken into account in design and adequate damp proofing treatment is given.
- (vii) The access to the cellar shall be separate from the main and alternative staircase providing access and exit from higher floor. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be enclosed type, serving as a fire separation from the cellar floor and higher floors. Open ramps shall be permitted, if they are constructed within the building line subject to the provision of clause (v) above.
- (viii) In case partition in the cellars is allowed by the Authority, no compartment shall be less than 50.00 M² in area and each compartment shall have proper ventilation provision and the cellar partition shall however, conform to the norms laid down by the Fire Services; and
- (ix) In no circumstances, construction of Toilet, Bath, Kitchen etc. shall be allowed in the cellar.

17.1.14.1 REGULATIONS FOR COLLECTION OF RAIN WATER

1. The collection of rain water from the roof tops of the buildings shall be compulsory where the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) is in operation in the State as under :—

- (a) For all the buildings existing or proposed for construction in future; and
- (b) The Guidelines for capturing, storage, integration and distribution of rain water shall be as under:—
 - i. The Rain Water Harvesting Structures are allowed to be constructed in set backs below ground level. If the storage is desired at any level above ground level, it has to be away from set backs within the permitted covered area.
 - ii. The community Rain Water Harvesting Structure shall also be permissible.
 - iii. Proper system for rain water capturing, storage as well as integration and distribution shall be ensured.
 - iv. The stored rain water shall be utilized regularly for non-drinking usages including fire fighting, landscaping, gardening apart from domestic usages.
 - v. No water supply connection shall be given to any building till Rain Water Harvesting System is put in place and subsequently operationalised.
 - vi. The minimum capacity of Rain Water Harvesting Structure shall be worked out @ 20 Liters per square Metre of the roof top area.
 - vii. Violator shall be liable for disconnection of Public Water Supply connection.
 - viii. The owners of existing buildings without Rain Water Harvesting System shall have to install Rain Water Harvesting System within eighteen months after coming into the operation of these Regulations.

17.1.15. REGULATIONS FOR HERITAGE BUILDINGS

The heritage area or buildings shall be listed and notified. Following regulations shall be applicable to heritage buildings:—

- (1) The detailed architectural drawings/maps in the scale 1:50 shall be prepared showing all the architectural features with size and material proposed to be used along with old architectural drawings.
- (2) Two photographs of 15cmx25cm size of existing building and adjoining heritage building shall be submitted.
- (3) In case of re-construction on old building lines, the existing plinth area, number of storeys and floor heights shall not be altered.

- (4) The original facade shall be maintained. The facade shall have the admixture of wood, grass, slate and tile as per the original building. If natural materials are not available, alternative ones shall be given the same touch.
- (5) The roof shall be painted with maroon or green colour only.
- (6) Constructions shall be permissible on the vacant sites subject to the condition that the height of such buildings does not exceed the height of surrounding heritage buildings and also does not obstruct the view in any way.

17.1.15.1. Other regulations

- (1) No compounding or retention shall be allowed in case of heritage buildings.
- (2) The new buildings which do not conform to the architectural style of heritage buildings shall be face-lifted in accordance with their original style or adjoining features.
- (3) Only Architects registered with the Council of Architecture shall be entitled to prepare and submit maps/proposals for construction/reconstruction of heritage buildings.
- (4) The matter for cancellation of registration of Architect shall be taken up with the Council of Architecture, if the construction carried out is in violation of the sanctioned map. An undertaking to this effect shall be furnished by the professional who has prepared the map and the owner at the time of seeking planning permission.

17.1.15.2. Repairs, additions and alterations

Any repair, addition in the existing heritage building shall be in conformity with the heritage regulations and existing heritage features of the area.

17.1.15.3. Options for architectural elements

The applicant seeking planning permission for reconstruction of building shall follow the following architectural elements for maintaining aesthetics of the existing surrounding buildings namely :—

- (1) Windows
- (2) Doors
- (3) Facade
- (4) Roofing

17.1.15.4. Street furniture

Street furniture in natural heritage areas shall be provided in the following manner namely:—

- (1) Cast Iron benches
- (2) Decorative lighting at two levels.
- (3) The design of water drinking spouts made of cast iron shall be got approved from the Heritage Advisory Committee.

17.1.15.5. Services

All the electric and telephone wiring shall be got concealed to improve the overall look of heritage area.

17.1.15.6. Sign boards

- (1) Brass plaques of size 0.60 m x 0.45 m inscribing history of the building shall be displayed at strategic point of historical building.
- (2) The sign boards and hoarding to be provided at strategic locations shall be in accordance with the National Building Code. They shall not occupy more than 10% of the facade in any case.

17.1.16 REGULATIONS FOR SOLAR PASSIVE BUILDING DESIGN

1. Scope

The Solar Passive Building Design shall be required in the following type of buildings:—

- (i) All the Government and Semi-Government buildings.
- (ii) Public and Semi-Public Institutions including Educational, Health, Community Centres, Banquet Halls, Inns and buildings of Autonomous Bodies.
- (iii) Urban Local Bodies and Panchayati Raj Institutions.
- (iv) Residential buildings in Urban and Urbanisable Areas.
- (v) Residential Colonies and Apartments.
- (vi) Commercial complexes and buildings related thereto including Hotels, Resorts, Lodges and Guest Houses.
- (vii) Industrial buildings and complexes thereof.
- (viii) Transport buildings such as Airport Terminals, Bus Terminals, Railway Stations etc.
- (ix) New Townships.

2. Building Map

The map for the proposed building should accompany a statement giving detail of specifications of solar passive heating and cooling system, day lighting features, solar photovoltaic panels, energy efficient and other renewal energy devices as shown in the drawing and proposed to be installed where required. Expected energy saving in the building should also be mentioned.

3. Site Selection

The site should preferably be selected on southern slopes or sunny side. Availability of sun shine duration during the winter months of December to March should also be mentioned.

4. Orientation

The longer axis of the building should preferably lie along east-west directions to trap maximum solar energy during winters.

5. Planning of Spaces

The main habitable spaces of a building may be planned and designed in such a manner, so that natural day light is available. The stair cases, garages, toilets and stores may be planned preferably on northern side. Minimum door and window openings on north side be proposed to avoid heat losses. In order to capture maximum heat in winters, maximum glazing be proposed on southern side. Glazing in proportion to total surface area of outer wall should not exceed more than 50% in mid-altitude regions i.e. 1500 M to 2200 M and not more than 70% in high altitude regions i.e. 2200 M and higher.

6. Integrating Solar Heating Systems in Building Designs

6.1 Passive solar heating systems like solar air heating, water heating, sun space, solar walls, space heating, green houses and solar trombe wall etc. shall be integrated in the building design, wherever possible on southern side, so as to allow maximum direct solar access to these systems.

6.2 The suitability of space heating systems to be installed or incorporated in the design of a solar passive building is to be decided by the registered Town Planner/ Architect/ Engineer/Designer /Solar Expert in accordance with building site, climate and space heating requirements.

7. Solar Photovoltaic Panel (SPV) for Lighting

Wherever possible and required, the solar photovoltaic panels may be integrated preferably in the building design for providing light in the building, emergency lighting and street lighting, so that use of electricity is minimized.

8. Solar Passive Cooling Design Features

The ventilation and Solar Passive cooling features may be incorporated wherever required as follows:

8.1 **Cross Ventilation:** Windows on opposite sides of rooms may be provided for proper circulation and ventilation of fresh and cool air in summers. Windows on southern side may be fixed with overhangs of adequate height and width to provide shade during the summers.

8.2 **Colour and Shading:** The external surface of the wall may be painted with white or light colours to reflect instant solar radiation.

8.3 **Ground Embankments:** Ground floor may be provided with earth berming upto a height of around 1.00 M for taking the advantage of constant temperature of the earth through out the year.

8.4 **Outside Temperature:** Outside temperature may be modified by landscaping.

9. Reducing Thermal Losses

The local building materials including stone, slate and mud may be utilized to meet the heating and cooling requirements by storing warmth and keeping the building cool.

10. Outer Wall Thickness

Outer walls of the building should be made atleast 0.23 M thick or with cavity with air or with insulation for thermal comfort and to avoid the transfer of heat from outer environment to inner environment and vice-versa.

11. Installation of Solar assisted Water Heating System in Buildings

11.1 The capacity of the Solar hot water system is to be determined as per the requirement of particular building. The following building plans shall be submitted alongwith provision of solar water heating system.—

- (a) Hospitals and Nursing Homes.
- (b) Hotels, Lodges, Guest Houses, Group Housing or Apartments on an area of more than 1000 M2.
- (c) Hostels of Schools, Colleges, Training Centres and other Institutions.
- (d) Barracks of Police.
- (e) Functional Buildings of public institutions like Airports, Bus Stands and Railway Stations.
- (f) Community Centres, Banquet Halls and buildings for similar use.

11.2 (a) New buildings should have open space on the roof top which receives direct sun light. The load bearing capacity of the roof should at least be 50 Kg. per M2. All new buildings of above categories must complete installation of solar water heating system before putting the same in use.

(b) Installation of solar assisted water heating systems in the existing building as given in Regulation 11.1 shall be required at the time of change of building use to above said categories, provided there is a system or installation, for supplying hot water.

11.3 Installation of solar assisted water heating systems shall conform to the Bureau of Indian Standards (BIS) specifications. The solar collectors used in the system shall have the Bureau of Indian Standards (BIS) certification mark.

11.4 All solar water heating systems may have an automatic electric backup system, so that the same is functional during cloudy or low / non-sunshine days.

11.5 Provision in the building design itself may be kept for an insulated pipeline from the roof top in the building to various distribution points where hot water or hot air is required.

11.6 The solar water heating system has to be integrated preferably in roof of the building, wherever possible, so that the panels become integral part of the roof. The solar air /water collectors/ green houses / sunspaces on the roof for receiving maximum solar radiation will be allowed.

12. As per directions issued by the Chief Secretary, Government of India vide D.O. No. L-14011/ 94/ 2014-UD-11 dated 8th January, 2015 following norms for roof top Solar PV installation are permissible:—

Sr. No.	Category of buildings/ area	Area norm for roof top and capacity of Solar Photovoltaic Power plant to be installed
1.	All residential buildings on a plot size of 100 Square Yards and above falling with the Municipal or Urban Development Authority limits	Minimum 12 Sqm. area of roof top Minimum 1 Kilo Watt peak (KWP) or 5 % of connected load whichever is higher
2.	All private Educational Institutions, Schools, Colleges, Hostels, Technical Vocational Education Institutes, Universities etc. having connected load of 30 Kilo Watt (KW) and above.	Minimum 60 Sqm. area of roof top Minimum 5 Kilo Watt peak (KWP) or 5 % of connected load whichever is higher
3	All Government buildings and offices, Government colleges, District Institute of Education and Training (DIET), Government Educational Institutions, Universities etc. having connected load of 30 Kilo Watt (KW) and above.	Minimum 25 Sqm. area of roof top Minimum 2 Kilo Watt peak (KWP) or 5 % of connected load whichever is higher
4.	All Private Hospitals and Nursing Homes, Industrial Establishments, Commercial Establishments, Malls, Hotels, Motels, Banquet Halls and Tourism complexes having connected load:- (i) of 50 Kilo Watt (KW) to 1000 Kilo Watt(KW). (ii) above 1000 Kilo Watt (KW)	Minimum 120 Sqm. area of roof top Minimum 10 Kilo Watt peak (KWP) or 5 % of connected load whichever is higher Minimum 600 Sqm. area of roof top Minimum 50 Kilo Watt peak (KWP) or 5 % of connected load whichever is higher
5.	All New housing complexes, developed by Group Housing Societies, Builders, Housing Boards, on a plot size of “ (i) 0.5 Acre to 1.0 Acre (ii) More than 1.0 Acre to 2.0 Acre (iii)More than 2.0 Acre to 5.0 Acre (iv)More than 5.0 Acre	Minimum 120 Sqm. of roof top area to 480 Sqm. depending on the KWP (i) Minimum 10 Kilo Watt peak (KWP). (ii) Minimum 20 Kilo Watt peak (KWP). (iii) Minimum 30 Kilo Watt peak (KWP). (iv) Minimum 40 Kilo Watt peak (KWP).

The area requirement on roof top has been calculated @ 12 Sqm. per 1 KWP

17.1.17. REGULATIONS FOR DEVELOPMENT OF BARRIER FREE ENVIRONMENT FOR THE PERSONS WITH DISABILITIES IN PUBLIC AND SEMI-PUBLIC BUILDINGS AND RE-CREATIONAL AREAS WITHIN THE LIMITS OF ECONOMIC CAPACITY

(1) Site Planning

Every public and semi-public building shall have at least one access to main entrance/exit to the disabled which shall be indicated by proper signage. This entrance shall have approach through a ramp together with stepped entry. The ramp should have a landing after 9 M run and in front of the doorway. Minimum size of landing shall be 1000 x 2000 mm.

(2) Access path/walkway

Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any step. Slope if any shall not be greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to floor material whose colour texture is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons). Finishes shall have a non-slip surface with texture traversable by a wheel chair. Curbs wherever provided should blend to common level.

(3) Parking Provision

- (a) Surface parking for two equivalent car spaces shall have to be provided near entrance with maximum travel distance of 30 M from building entrance. Width of parking bay shall be minimum 3.60 M.
- (b) Guiding floor materials shall be provided or a device which guides visually impaired persons with audible signals or other devices which serve the same purpose shall be provided.

(4) Approach to plinth level

- (a) Ramp shall be provided with non-slip material to enter the building. Minimum clear width of ramp shall be 1800 mm with maximum gradient of 1:12 between top and bottom of the ramp. Length of ramps shall not exceed 9.00m having 800 mm high handrail on both sides extending 300 mm beyond the ramp. Minimum gap from the adjacent wall to the handrail shall be 50 mm.
- (b) For stepped approach size of tread shall not be less than 300 mm and maximum riser shall be 150 mm. Provision of 800 mm high handrails on both sides of the stepped approach similar to the ramped approach shall be provided.

(5) Entrance Door

Minimum clear opening for the entrance door shall be 1000 mm.

(6) Corridor connecting the entrance/exit

The corridor connecting the entrance/ exit for handicapped leading directly outdoors to a place where information concerning the over all view of the specific building can be provided to visually impaired persons either by a person or signs shall be provided as follows:—

- (a) Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons.
- (b) The minimum width shall be 1500 mm.
- (c) In case there is a difference of level, slope ways shall be provided with a gradient of 1:12.
- (d) Handrails shall be provided for ramps/ slope ways.

(7) Lift

For the buildings with more than 15.00 M in height one lift shall be provided for the wheel chair user with the following clear dimensions:—

Clear internal depth	1100 mm
Clear internal width	2000 mm
Entrance door width	910 mm

A handrail not less than 600 mm long at 900 mm above floor level shall be fixed adjacent to the control panel. The lift lobby shall be of an inside measurement of 1800 mm x 2000 mm or more. Operational details of lifts shall conform to the National Building Code of India.

(8) Toilets

One special water closet in a set of toilets shall be provided for use of handicapped with following specifications:—

- (a) Provision of wash basin near the entrance.
- (b) The minimum size shall be 1500 mm. x 1750 mm
- (c) Minimum clear opening of the door shall be 900 mm. and the door shall be swinging/sliding type.
- (d) Suitable arrangements for vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.
- (e) The W.C. seat shall be 500 mm from the floor.

(9) Refuge Area

Refuge area shall have to be provided at the fire protected stair landing on each floor having doorways with clear opening width of 900 mm that can safely hold one or two wheelchairs. The alarm switch should be installed between 900 and 1200 mm from the floor level.

17.1.18 REGULATIONS FOR ENVIRONMENT AND HEALTH

- (a) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least 3 hours sun may be available for each flat during winters. Kitchen and services shall have to be provided along the external walls. However, if the water closets and

bathrooms are not opening on to front, side, rear and interior open spaces, these shall open on to the ventilation shaft, the minimum size of which shall be as under:-

Height of buildings (in M)	Size of ventilation shaft (in M ²)	Minimum one Dimension of the shaft (in M)
Upto 10	1.2	0.9
12	2.8	1.2
18	4.0	1.5
24	5.4	1.8

- (b) The developer has to ensure prior environmental clearance under the provisions of Environment Protection Act, 1986 from the competent authority besides consent of the State Environment Protection and Pollution Control Board under Water Act, 1974 and Air Act, 1981.
- (c) No construction shall be allowable within a radius of 2.00 meter from a tree and upto 5.00 meter distance from the Forest/Green belt boundary. The distance shall be measured from the circumference of the tree. No lopping shall be allowable.
- (d) In case any unauthorized construction involves cutting/ drying/ lopping of any tree, electricity, water supply and sewerage connections shall remain disconnected till clearance is given by the Forest Department.
- (e) No construction shall be allowed on land/plot having slope more than 45°
- (f) No drainage line or nallahs shall be allowed to be covered by any private construction. However, strategic locations adjacent thereto along the highways may be utilized for parking purpose either by the Government or by Municipal Corporation or by Development Authorities for community purposes.

17.1.19 REGULATIONS FOR INFORMATION TECHNOLOGY PARKS.

1. Slope

Buildings of Information Technology (IT) Park shall be allowed upto 300 slope. The infrastructural services including roads shall be developed in accordance with the slope of the area.

a. Land Use structure of complex

Sr. No.	Land Use Structure	Maximum limit
1.	Total Covered Area (i) IT related activities (ii) Commercial (iii) Recreational (Indoor) (iv) Residential	50% 22% to 44% 1% to 5% 1% to 3% 9% to 15 %
2.	Parks and Tot Lots	8% to 12%
3.	Area under Traffic and Transportation	16% to 20%
4.	Area under Set Backs and other Open Spaces	20% to 24%

3. Means of Access

- (i) The access to the site of IT Park area shall not be less than 5.00 M wide.
- (ii) Provisions of internal roads shall be as under:-

Sr.No.	Width	Length
1.	9.00 M	Up to 1000.00 M
2.	12.00 M	Above 1000.00 M

4. Parking Provision

1. Residential = @ 1.00 car space per 75 M² floor area
2. Commercial = @ 1.50 car space per 75 M² floor area
3. Office Use = @ 1.25 car space per 75 M² floor area
4. Hardware Manufacturing Unit = @ 1.00 car space per 60 M² floor area
5. Software development/ITES = @ 1.00 car space per 40 M² floor area

Maximum height of parking floor shall be 3.00 M including depth of beam below the ceiling of the slab.

5. Maximum Floor Area Ratio (FAR)

Maximum Floor Area Ratio (FAR) shall be 1.75.

6. Maximum height of buildings

Maximum height of buildings for IT and related activities shall be 21.00 M.

7. Set Backs

- (i) Block to Block distance shall be 2/3rd of average height of the Blocks.
- (ii) Distance of structures from the adjoining properties and side Set Backs shall not be less than 1/3rd of the height of the Blocks.
- (iii) Minimum 3.00 M distance from internal roads shall have to be maintained.

8. Expansion Joints

The structures exceeding 45.00 M in length shall be divided by one or more expansion joints as per the Structural Design calculations.

9. Structural Stability

The Structural Stability provisions including Soil Investigation Report have to be strictly adhered, as enshrined in section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) and under Rule 21 of the Himachal Pradesh Town and Country Planning Rules, 2014.

10. Environment and Health

- (i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least three hours sun may be available for each building during winters. In case of residential structures, kitchen and services shall have to be provided along the external walls. However, if the water closets and bath rooms are not opening to the front, sides, rear and interior open spaces, these shall open to the ventilation shaft. The maximum size of ventilation shaft shall be 4.00 M² with minimum one dimension of 1.50 M.
- (ii) The Developer shall ensure prior environmental clearance under the provisions of the Environment Protection Act, 1986 from the Competent Authority, besides consent of the Himachal Pradesh State Environment Protection and Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

11. Safety Measures

- (i) In case of buildings above 15.00 M height, No Objection Certificate from the Director of Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of the National Building Code of India i.e. minimum two stair cases for floor area of more than 500 M². At least one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in each flight.
- (iii) Provision for lift shall be optional upto 3 storeys and 1 parking floor. However, for more than 3 storeys and one parking floor, it shall be mandatory requirement. The Developer shall make provision of power back up for the lift and general lighting within and outside the building at his own cost.
- (iv) Provision for proper Fire Hydrants shall have to be made in the Complex and the layout, showing position and location of the same. It shall be made available to the nearest Fire Office.

12. Potable Water Supply and Rain Water Harvesting

- (i) No Objection Certificate (NOC) from the Himachal Pradesh Irrigation and Public Health Department (HPI&PH) regarding availability of adequate water supply and viability of design of rain water harvesting structure shall have to be furnished.
- (ii) Adequate provision for rain water harvesting structure, @ 20 Liters per M² of the roof top area, shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

13. Parks and Tot Lots

Area under parks and tot lots shall have to be properly developed in regular shape by providing retaining walls, railings, plantation etc. and amidst the Blocks, proper landscaping of the IT Park area in accordance with the design shall be ensured by the Developer.

14. Existing trees and plantation

- (i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
- (ii) Plantation shall be ensured @ 125 trees per Hectare.

15. Distance from Natural drainage

Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.

16. Distance from Roads

Minimum distance of structures from National Highways, State Highways, Himachal Pradesh Public Works Department (HPPWD)'s Scheduled roads, Bye-Passes and other District roads shall be 15.00 M.

17. Distance from Electric Lines

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. The No Objection Certificate (NOC) of the Competent Authority shall also be required, if HT/LT line is crossing through the Complex.

18. Assessment of Power requirement

In case power requirement assessment exceeds 50 KW, proper space for installation of electric Transformer and Transmission Lines of 11 KV shall be provided in the layout plan. The proposed space is to be got verified from the concerned Officer of the HPSEB Ltd. and accordingly No Objection Certificate (NOC) alongwith verification at site shall have to be furnished.

19. Development of Infrastructure and its maintenance

- (i) The Developer shall construct roads and drains, lay electric and sewerage lines and shall make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on the sides of the internal roads.
- (ii) The Developer shall provide street light poles each at a distance of 30.00 M on either side of the roads.
- (iii) The provision of community water reservoir has to be made in the Complex.
- (iv) All the infrastructural services shall be maintained by the Developer, till such time when a Society is formed and got registered by the stakeholders and residents of the Complex or a Municipality or Gram Panchayat takes over the maintenance pursuits of the area.

20. Supervision

The registered Architect from the Council of Architecture and Structural Engineer, Graduate in Civil Engineering with 3 years experience in Structural Engineering and the Town

Planner shall be competent for supervision of development of land as per provisions of Annexure-A of Part II of the National Building Code of India, 2005.

21. Integration

Proper integration of the IT park area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

22. Preservation of local Heritage and Hill Architecture

As far as possible local Heritage and Hill Architecture imperatives shall have to be ensured and incorporated in the designs in terms of facades, sloping roof, windows, doors etc. in hilly areas.

23. Other Regulations and instructions as issued by the Government from time to time shall be adhered strictly.

17.1.20 REGULATIONS FOR DEVELOPMENT OF APARTMENTS AND COLONIES

1. Site selection

The site may be selected in such area which is going to be proposed for Residential Use and the same is not having non-conforming uses like obnoxious uses, industrial and dumping ground etc. in its vicinity.

2. Check List

A Check List showing Regulatory provisions and fulfillment thereof shall have to be submitted alongwith the proposal for Apartments as under:—

Sr. No.	Description	As per regulations	As proposed
1.	Scheme Area.		
2.	Slope of Area.		
3.	Means of Access.		
4.	Land Use Structure.		
5.	Coverage (i) Under Flats (Block wise). (ii) Under other uses (Block wise).		
6.	Total Built up Area.		
7.	Floor Area Ratio (FAR).		
8.	No. of storeys in each Block.		
9.	Height of each floor.		
10.	Total Height of Block.		
11.	No. of Flats/Dwelling Units in each Block.		
12.	Total Population.		
13.	Density per Hectare.		
14.	Detail of facilities like school, health services etc. with respect to population.		
15.	Parking provision.		
16.	Structural Stability Certification.		
17.	Distance of structures from natural drainage.		

Sr. No.	Description	As per regulations	As proposed
18.	Distance of structures from Highways and other District Roads.		
19.	Distance of structures from HT/LT lines.		
20.	No Objection Certificate of competent authority of the Himachal Pradesh State Electricity Board Limited in case HT/LT line is crossing over/ nearby proposed site.		
21.	No Objection Certificate of the competent authority of National Highway / Himachal Pradesh Public Works Department or Local Bodies for approach to the proposed project as the case may be.		
22.	No Objection Certificate of the competent authority of Himachal Pradesh Forest Department.		
23.	No Objection Certificate of the competent authority of Himachal Pradesh Irrigation and Public Health Department or consent of Central Ground Water Authority regarding use of ground water.		
24.	No Objection Certificate of the competent authority of Himachal Pradesh Fire Services Department.		
25.	No Objection Certificate of the competent authority of Urban Local Bodies/Panchayats.		
26.	Provision of Rain Water Harvesting Structure.		
27.	Arrangement for disposal and treatment of solid waste, sullage, sewage, sewerage and storm water.		
28.	Provision for street lighting.		
29.	Name of the registered Town Planner / Architect/Engineer with full correspondence address, appointed for the job.		
30.	Name of the registered Structural Engineer with full correspondence address, appointed for the job.		

3. Size and shape of Scheme Area

The cases for permission of Apartments shall be considered in the form of complexes and not on ribbon development pattern along Highways/Major Roads.

4. Slope

Apartments shall be allowed upto 30° slope.

5. Land Use structure of Apartments in a Colony:-

Sr. No.	Land Use	Percentage to Total Area
1.	Area under Apartments	45 – 50 %
2.	Commercial	02 – 03 %
3.	Public and Semi- Public	06 – 10 %
4.	Traffic and Transportation	10 – 15 %
5.	Parks and Open Spaces	10 – 15 %
6.	Area under, plantation and landscaping etc.	Balance

Note.—Under Commercial Use, convenient shops @ of one shop per 150 persons shall have to be provided. These will include service shops like vegetable, shoe repair, dry cleaning, tailor, barber, general merchandise etc. The purpose of these shops should clearly be mentioned in the Plan and should be accordingly allotted after completion. In case Public and semi-Public amenities like schools, health centres etc. are available in the vicinity and the same are adequate to cater for the requirements of inhabitants, detail thereof shall have to be given in the **Check List** at Regulation 2. However, provision of toilets and urinals @ two toilets, one for ladies and one for gents, per 1000 persons and provision for Kindergarten/ tot lots etc. shall have to be made in every Scheme.

6. Means of Access

- (i) The minimum access/approach from main road to the project site for construction of colony or apartments with a population of 1000 persons shall not be less the 5.00 M and for population above 1000 persons shall not be less than 6.00 M.
- (ii) Width and length of means of internal access for Colonies of more than 1000 persons shall be as under:—

(a) For hilly areas:-

Sr. No.	Width (in Metre)	Length upto (in Metre)
1.	5.00	400.00
2.	7.50	1000.00
3.	9.50	Above 1000.00

7. Parking Provision

Parking provision shall have to be provided @ one vehicle i.e. 18.00 M² area per 100 M² floor area. Maximum height of parking floor shall be 3.00 Metre including the depth of beam below the ceiling of the slab.

8. Maximum Floor Area Ratio (FAR)

- (i) Maximum permissible FAR shall be 1.75. However, the maximum FAR with respect to Apartments shall be 1.50. The rest 0.25 FAR 146 shall, however be meant for Public and Semi-Public and Commercial purposes in view of the requirements of locality as well as surrounding areas.

(ii) In case of a Colony where independent Plots, Apartments and Cottages are proposed to be developed and constructed, the calculation of FAR shall be as under:-

- (a) For independent Plots—
The FAR shall be calculated for whole of the Plot area.
- (b) For Apartments—
The FAR shall be calculated for the built up area available after leaving prescribed Set Backs.
- (c) For Cottages —
The FAR shall be calculated for whole of the land over which cottages are proposed to be constructed.

9. Floor Height and Maximum Height of Building

The minimum floor height of Apartments may vary from 3.00 Metres to 3.50 M. However, the overall height of the building shall not exceed 30.00 Metres in plains areas and 25.00 M including sloping roof in hilly areas of the State. Maximum height of sloping roof shall be in accordance with the volume of structure and the same shall not be less than 30° slope of the roof. The height of the Block shall be measured from plinth of the Block to the ridge of the roof including parking and roof. The minimum slope of the roof/ dormer shall not be less than 300 . The colour of the roof shall be in post office red or grey green or any other colour conforming to the colour of the natural roofing material

10. Set Backs

The Block to Block distance shall be 1/3rd of average height of Blocks subject to minimum of 6.00 M. Distance of Apartments from the adjoining properties and side Set Backs for plain area shall not be less than 1/3rd and for hilly area 1/4 th of the height of the respective adjacent Block subject to minimum of 3.00 M.

11. Structural Stability

The Structural Stability provisions including Soil Investigation Report have to be strictly adhered as enshrined under section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) and under Rule 21 of the Himachal Pradesh Town and Country Planning Rules,2014. Monitoring of the same shall have to be ensured at each floor level and Completion Certificate in this regard shall be furnished to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla.

12. Environment and Health

(i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least 3 hours sun may be available for each flat during winters. Kitchen and services shall have to be provided along the external walls. However, if the Water Closets (WCs) and bath rooms are not opening on to front, side, rear and interior open spaces, these shall open on to the ventilation shaft. The minimum size of which shall be as under:—

Sr. No.	Height of Buildings (in Metre)	Size of Ventilation Shaft (in square Metre)	Minimum one dimension of the Ventilation Shaft (in Metre)
1.	Upto 10.00	1.20	0.90
2.	Upto 12.00	2.80	1.20
3.	Upto 18.00	4.00	1.50
4.	24.00 & above	5.40	1.80

13. Safety Measures

- (i) In case of buildings above 15.00 M of height, No Objection Certificate (NOC) from the Director, Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of National Building Code of India i.e. minimum of 2 stair cases for floor area of more than 500 M². Atleast one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in one flight.
- (iii) Upto 4 storeys and 1 parking floor, provision for a lift shall be optional. However, for more than 4 storeys and one parking floor, it shall be mandatory requirement. The Promoter has to make provision of power back up for the lift and general lighting within and outside the building at his own cost.

14. Potable Water Supply and Rain Water Harvesting

- (i) No Objection Certificate (NOC) from the Himachal Pradesh Irrigation and Public Health Department(HPI& PH), regarding availability of adequate water supply and viability of design of rain water harvesting structure shall have to be furnished.
- (ii) Adequate provision for rain water harvesting structure @ 20 Liters per M² of the roof top area shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

15. Parks and Open Spaces

Area under parks and tot lots shall have to be properly developed in regular shape by providing retaining walls, railings, plantation etc. and amidst the Blocks, proper landscaping of the Apartment area in accordance with the design shall be ensured by the Promoter.

16. Existing Trees and Plantation

- (i) No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
- (ii) The Promoter shall ensure plantation of trees at least equivalent to the anticipated population of the area and the same shall have to be monitored by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla. Local varieties of trees with exotic impact and attraction shall have to be planted.

17. Distance from Natural Drainage

Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no construction shall be allowed in parcel of land prone to floods.

18. Distance from Roads

Distance of structures from roads shall have to be adhered as under:-

- (i) National/ State Highways/ Himachal Pradesh Public Works Department's Scheduled Roads and Bye-passes = 15.00 M

- (ii) Other District Roads. = 10.00 M
- (iii) Other Roads = 5.00 M

19. Distance from Electric Lines

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd) Rules shall have to be maintained. The No Objection Certificate (NOC) of the competent authority shall also be required, if HT/LT line is crossing through the Scheme.

20. Assessment of Power Requirement

In case, power assessment exceeds 50 KW, proper space for installation of electricity Transformer is required to be provided in the layout plan and provision has to be made for coming 11 KV line. The proposed space is to be got verified from the concerned Officer of the Himachal Pradesh State Electricity Board Limited (HPSEB Ltd) and accordingly No Objection Certificate (NOC) alongwith verification at site shall have to be furnished.

21. Reservation for Economically Weaker Sections, Low Income Groups of Society and Bonafide Himachalis

The promoter shall have to ensure the reservation for Economical Weaker Section (EWS) , Low Income Group (LIG) of the society and Bonafide Himachalis atleast 25 % of developed land (residential apartments and residential plots) in all housing projects.

22. Development of Infrastructure and its Maintenance

The Promoter shall construct roads, drains, lay electricity lines, sewerage and make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on sides of the road and the same have to be ascertained by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla during the course of development at site. The Promoter has to provide street light poles, each at a distance of 30.00 M on either side of the roads. The provision of community water reservoir has to be made in the Scheme. All the infrastructural services shall be maintained till such time that a Society is formed and got registered by the residents of the Scheme or Municipal Corporation or Municipal Council or Nagar Panchayat or Special Area Development Authority (SADA) or Panchayat, undertakes the maintenance pursuits of the area.

23. Control on Registration of Apartments and release of service connections

The Sub-Registrar shall not register sale deed of a Flat/ Apartment which has been constructed in violation of an approved plan. Similarly, the Himachal Pradesh State Electricity Board Limited as well as Himachal Pradesh Irrigation and Public Health Department shall not release any 150 service connection without obtaining No Objection Certificate (NOC) of the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under provision of section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977).

24. Supervision

The registered Architect from the Council of Architecture and Structural Engineer, Graduate in Civil Engineering with 3 years experience in Structural Engineering and the Town Planner shall be competent for supervision of development of land as per provisions of Annexure-A of Part II of the National Building Code of India, 2005.

25. Integration

Proper integration of the Apartment area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

26. Preservation of local Heritage and Hill Architecture

As far as possible local Heritage and Hill Architecture imperatives shall have to be ensured and incorporated in the designs in terms of facades, sloping roof, windows, doors etc. in hilly areas.

27. Urban Development Plan Formulation and Implementation (UDPFI) Guidelines.

In case of any clarification with reference to any proviso or if there is no any specific provision, the provisions as envisaged in the Urban Development Plan Formulation and Implementation (UDPFI) Guidelines of the Government of India or the National Building Code of India shall have to be adhered to.

17.1.21 REGULATIONS FOR INSTALLATION OF COMMUNICATION TOWERS

1. Definition.—Communication Tower- shall include Antenna, fabricated Antenna, Antenna fixtures, tower erected on ground to install the telephone lines including transmission lines. This will not include the Antennas installed for domestic purpose, namely Television Antennas or Dish Antennas or Cable Antennas.

The policy for setting up Mobile Communication Towers, as approved by the Hon'ble Cabinet has been received from the Secretary IT) to the Government of Himachal Pradesh through Principal Secretary (TCP) to the Government of Himachal Pradesh vide letter No. TCP-F(10)-6/2005 dated 1.9.2006. As per policy of Mobile Communication Towers following norms has been approved:-

2. Application for Permission:

- (i) Application to a Local Body/SADA shall be made along with the following documents:
- (ii) Affidavit from the owner of the land/building containing his consent along with proof of ownership.
- (iii) Copy of sanctioned roof plan, if the tower is to be erected on an existing building. As far as possible, sufficient open space should be left on all sides of the tower to ensure that damage is not caused, if the tower falls down. If due to any specific site related limitations, sufficient space cannot be left and if permission is to be granted, third party insurance of such amount shall be got done, as may be decided by the sanctioning authority.
- (iv) Design parameters and foundations details. Drawing of tower with complete details in shape of ferro-prints. Height of the tower and HT lines in the vicinity should be clearly indicated.
- (v) Structural safety certificates of tower from a graduate structural engineer who should be a member of IEEE.

- (vi) Indemnity Bond to take care of any loss or injury due to accident caused by the tower (including a declaration to the effect that the applicant shall take special precaution for fire safety and lightning).
- (vii) Requisite Fee by way of a demand Draft.
- (viii) Revenue documents i.e. tatima and jamabandi in original.
- (ix) Site plan in scale of 1:200 and location plan in 1:1000.
- (x) Copy of completion plan of the building if tower is to be erected on top of an existing building.

NOTE.— In case of Gram Panchayats, roof plan at Sr. No. (ii) and completion plan as per Sr. No. (ix) shall not be required.

3. Fee.—(a) Prior permission of the Local Body/SADA/(as the case may be) will be obtained for raising any construction, including tower as under:—

(b) One time and renewal fee to be charged at the following rates shall be paid:

- (i) **Municipal Corporation, Shimla:** Installation Fee @ Rs. 20,000/- per tower and Annual Renewal fee @ Rs. 10,000/- per annum per tower. Fee in following Special areas falling within Shimla Planning Area namely Dhalli, New Shimla (Kasumpti) and Totu will also be levied at the same rates.
- (ii) **Other Urban/SADA Areas:** Installation Fee @ Rs. 10,000/- per tower and Annual Renewal Fee @ Rs. 5,000/- per annum per tower.
- (iii) **Rural Areas and Urban/SADA locations in Tribal/Difficult Area:** Installation Fee @ Rs. 4,000/- per tower and Annual Renewal Fee @ Rs. 2,000/- per annum per tower.

NOTE:

- An option for lump sum payment of renewal fee may also be given in blocks of 5 years (with 40% discount for upfront payment of the entire amount including renewal fees for 5 years). There will be periodic increase in renewal fee by 25% after every 5 years.
- An additional amount @ 60% shall be levied for every additional antenna which shares the same tower.

(C) It is clarified that this Fee shall be charged for granting requisite approval for erecting the immovable structure viz. communication tower on top of an existing building or on the ground. This fee shall be in addition to the rent charged by the owner of land, which he negotiates with the Telecom Service Provider.

4. Prohibition on Subletting : These structures will not be sublet without the permission of the Local Body/SADA, which has granted the original permission.

5. Deemed Approval.—A final decision shall be taken within 30 days from the date of submission of all the documents. If the documents submitted for permission are complete in all respects and a decision is not taken within 30 days, deemed permission shall be assumed. Local Body/SADA/MC shall also have online application form for installation of Mobile Communication Towers. Monitoring of applications through REFNIC or any other online interface on the lines of website of TCP shall be provided.

6. Location.—Location of communication towers is governed by radio frequency system and as far as possible, cellular operators should try to avoid residential area. The location shall be decided as follows.

- (i) First preference should be given to the location of tower in the commercial areas or other public areas.
- (ii) Where it is not possible to avoid the location of this tower in residential area, possibility should be explored to locate these in open spaces or on community buildings in these areas.
- (iii) Where it is not possible to find such suitable space mentioned at Sr. No. (ii) above, tower should be permitted on the roof top of residential buildings.
- (iv) Erection of towers on heritage buildings shall not be allowed.
- (v) Such towers can be permitted only on top of buildings already approved or regularised under the law in force.

7. Compounding of Minor Deviations.—At certain places the Telecommunication Operators are forced by technical feasibility to install Antennae on the particular building which may have minor violations, which are compoundable as per Law. In such cases, building owner can get compounding done in advance for which an outer time limit of 30 days for taking a final decision shall be applicable.

8. Noise Pollution.—Generator sets installed at the tower site to cater to the power requirements of the antenna should conform to the noise and emission norms prescribed under the Environment Protection Rules. However, in view of time frames set out for electricity providing electricity connection, need for generators should be minimized.

Acknowledgement of a duly filled application form to the concerned Local Body/SADA shall be deemed to be sufficient for making an application to HPSEB & PCB (Himachal Pradesh State Environment Protection & Pollution Control Board). Consent to operate shall be normally granted seeing manufacturers specification sheet, unless there is a felt need of carrying out noise tests. However, antenna shall be made operational only after obtaining permission of Local Body/SADA, HPSEB & PCB (if applicable) and other clearances as per S.No. 4 above.

“ The policy as communicated by the department of information technology, Govt of H.P, shall be applicable in toto in all the Planning Areas and Special Areas in the State of H.P. subject to the condition that minimum setbacks as applicable for residential buildings in the Planning Areas or Special Areas shall be applicable in case tower is installed on ground. A structural stability certificate of the building shall be mandatory for rooftop towers and tower erected on ground from the competent authority ”.

17.1.22 REGISTRATION OF PRIVATE PROFESSIONALS NAMELY TOWN PLANNERS/ ARCHITECTS/ ENGINEERS/ DRAUGHTSMAN / SURVEYORS, THEIR QUALIFICATIONS AND COMPETENCY

1. Essential requirements—

Every Plan / Design within the limits of Planning Area/ Special Area shall be prepared/ designed/ signed by the Town Planner/ Architect / Engineer/ Draughtsman /Surveyor belonging to an appropriate class of Town Planner/ Architect / Engineer/ Draughtsman/Surveyor duly registered by the Director.

2. Categorization—

The registered Town Planner/ Architect / Engineer/ Draughtsman/Surveyor for the purpose of preparation of Plans/Design/sign shall be classified into following 3 classes namely A, B and C. The classification being based on the plot area for which they will be eligible to prepare Plans/ Design and sign the same within Planning Area/Special Area. The limit of the plot area for the preparation of Plans /Design/sign by such class of the registered Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor shall be as under:—

Class	Plot Area for Building Plan	Area for Sub-Division of land	Class of Town where entitled to function
A-Class	No limit	No limit	Municipal Corporation, Municipal Councils, Nagar Panchayats and Rural Areas
B-Class	500 M2	5000 M2.	Municipal Councils, Nagar Panchayats and Rural Areas
C- Class	250 M2	Nil	Nagar Panchayats and Rural Areas

3. Class wise Qualification-

The minimum qualification necessary for the registration of Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor of an appropriate class shall be as under:—

(i) Class-A-

- (a) A Degree or equivalent qualification in Town Planning or Regional Planning from a recognized University or Institute making the holder eligible for the Associateship or Fellowship of the Institute of Town Planners (India) or Royal Institute of Town Planners(London).
- (b) A Degree or equivalent qualification in Architecture from a recognized University or Institute, making the holder eligible for Associateship or Fellowship of the Royal Institute of British Architects or Institute of Architects (India) and registered with the Council of Architecture.
- (c) A Degree or equivalent qualification in Civil Engineering from a recognized University or Institute, making the holder eligible for the Associate Membership of the Institute of Engineers (India).

(ii) Class-B-

Three years Diploma in Civil Engineering or equivalent or three years Diploma in Architectural Assistantship awarded by the State Board of Technical Education or Intermediate in Architecture or equivalent.

(iii) Class-C-

Two years Diploma in Civil Draughtsmanship /Surveyor or equivalent from a recognized Polytechnic/ Industrial Training Institute and recognized for recruitment as a Civil Draughtsman/ Surveyor.

4. Registration and Renewal Fee-

The non-refundable Registration Fee and Renewal Fee after a period of five years of initial Registration shall be as given in the following Table.

Sr. No.	Category of Registered Private Professionals	Registration Fee (Rupee)	Renewal Fee (Rupee)
1.	Class-A : (a) Town Planner /Architect/ Engineer. (b) Group or Company of Town Planners/ Architects/ Engineers.	2000.00 6000.00	2500.00 7500.00
2.	Class-B	1000.00	1250.00
3.	Class-C	600.00	750.00

The Renewal Fee shall be payable every five years after the initial Registration.

Provided that the Architects registered with the Council of Architecture, New Delhi under the Architects Act, 1972 shall not require Registration under these Rules. However, such Architects shall require to be empanelled with the Director without paying any Fees. Such Architect once empanelled, shall not required any renewal of empanelment.

5. Cancellation of Registration-

The Director may suspend or cancel the Registration of any Town Planner/ Architect / Engineer/ Draughtsman/Surveyor, who in the opinion of the Director is not carrying out the requirements of the Zoning Regulations framed under Interim Development Plan, Development Plan and the Guidelines issued under the Himachal Pradesh Town and Country Planning Act, 1977 and the Himachal Pradesh Town and Country Planning Rules, 2014.

Provided that before the Registration is cancelled, an opportunity of being heard shall be afforded to the concerned Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor.

Provided further that three opportunities shall be given to a professional before finally cancelling the Registration.



